

RESEARCH PAPER

ADVANCING GENDER EQUALITY THROUGH LEGISLATIVE REFORM IN TRANSITIONAL JUSTICE CONTEXTS

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Peace, Security and Resilience Section

UN Women

New York, 2026



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ACRONYMS AND ABBREVIATIONS

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CIEDP	Commission of Investigation on Enforced Disappeared Persons (Nepal)
CPA	Comprehensive Peace Accord (Nepal)
CRSV	Conflict-Related Sexual Violence
GBV	Gender Based Violence
JEP	Jurisdicción Especial para la Paz (Special Jurisdiction for Peace, Colombia)
LGBTIQ+	Lesbian, gay, bisexual, transgender, intersex, queer and other diverse sexual orientations, gender identities, gender expressions and sex characteristics
NAP	National Action Plan
SGBV	Sexual and Gender-Based Violence
SOGIESC	Sexual orientation, gender identity, gender expression and sex characteristics
TRC	Truth and Reconciliation Commission (Nepal)
UBPD	Unidad de Búsqueda de Personas dadas por Desaparecidas (Unit for the Search of Missing Persons, Colombia)
UN	United Nations
UNDP	United Nations Development Programme
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women

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EXECUTIVE SUMMARY

This report examines legislative reform as a mechanism of transitional justice through a gender equality lens, drawing on an analysis of 22 countries and territories. It explores how legislative reform can contribute to accountability, reparations and guarantees of non-repetition by addressing the structural and legal conditions that enable gender-based and intersectional harms during and after conflict.

The findings indicate that legislative reform can support progress towards gender equality in transitional contexts when it is embedded within broader transitional justice processes and supported by sustained implementation. While establishing a direct causal relationship between legislative reform and gender-equality outcomes is difficult, the evidence demonstrates a consistent association between gender-responsive legal frameworks and improved protection, participation and access to justice for women, girls and LGBTIQ+ people.

The report identifies key factors shaping the effectiveness of legislative reform, including political commitment demonstrated through implementation and resourcing, institutional capacity, meaningful civil society engagement, intersectional approaches to discrimination, and mechanisms for monitoring and accountability. It emphasizes the need to move beyond formal equality to address substantive inequalities and the enduring legacies of violence reflected in laws, institutions and social norms.

The Colombia and Nepal case studies presented in the annexes illustrate how sustained advocacy by organizations of women, victims and LGBTIQ+ people, supported by constitutional reform, strategic litigation and international engagement, can strengthen gender-responsive legal systems. They also highlight persistent implementation gaps and ongoing challenges.

INTRODUCTION

Transitional justice refers to the full range of judicial and non-judicial processes and mechanisms through which a society “attempts to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation”.¹ Grounded in States’ international human rights obligations, transitional justice can serve as a holistic and people-centred policy framework that seeks not only to provide redress to victims as rights holders, but also to prevent the recurrence of violations and contribute to sustainable peace. Periods of transition from conflict or authoritarian rule present critical opportunities to confront structural inequalities, rebuild social trust and transform discriminatory norms and power relations, including those related to gender.² To this end, transitional justice draws on a range of mutually reinforcing tools, such as truth-seeking processes, criminal accountability, reparations programmes, institutional reform, vetting, memorialization and legal and policy reforms, which are most effective when designed and implemented as part of a coherent strategy. International practice has consolidated an understanding of transitional justice

as comprising four interrelated and indivisible pillars: truth, justice, reparations and guarantees of non-recurrence, which together form the analytical framework adopted in this report.³

Transitional justice can play a critical role in addressing grievances and social divisions in societies affected by violence by recognizing victims’ experiences, reaffirming their dignity as rights holders and strengthening accountability and the rule of law. When conceived as a people-centred and human rights-based process, it can contribute to social cohesion, reinforce respect for human rights and rebuild trust between communities and state institutions. These outcomes, however, are contingent on inclusive and participatory processes that are locally owned, engage a broad range of societal actors and ensure the full and meaningful participation of historically marginalized or excluded groups, including minorities and other communities disproportionately affected by violence.⁴

Nonetheless, historically, the experiences of women, girls, LGBTIQ+ people⁵ and victims and survivors⁶ of gender-based violence (GBV) have not been adequately addressed by transitional justice processes.⁷ Women

1. United Nations Secretary-General, *Guidance Note of the Secretary-General: Transitional Justice – A Strategic Tool for People, Prevention and Peace* (New York: United Nations, 2023), 2.

2. *Ibid.*, 10–11.

3. *Ibid.*, 3–4.

4. *Ibid.*, 3–5, 8–10, 12.

5. UN Women uses both ‘LGBTIQ+’ and ‘diverse SOGIESC’ (sexual orientation, gender identity, gender expression and sex characteristics) where appropriate in global contexts while respecting their distinctions. We note that neither term is universally applicable nor reflects the full diversity of sexual and gender formations, practices and identities that exist, that terms and their usage are constantly evolving and that SOGIESC applies to all people. In practice, various culturally, linguistically and context-specific terms may be used, where appropriate.

6. This report uses the terms ‘victims’ and ‘survivors’ when referring to persons who have experienced human rights violations or international crimes. The term ‘victim’ is commonly used in international human rights and criminal law to denote a rights holder entitled to truth, justice, reparations and guarantees of non-recurrence. The term ‘survivor’ is frequently preferred in gender-responsive and survivor-centred practice, particularly in relation to sexual and gender-based violence (SGBV), as it emphasizes agency, dignity and lived experience. This report uses these terms flexibly and, where appropriate, together, recognizing that individuals and communities may identify differently and that both legal recognition and personal agency are important.

7. Fionnuala Ní Aoláin, “Women, Security, and the Patriarchy of Internationalized Transitional Justice,” *Human Rights Quarterly* 31, no. 4 (November 2009): 1056, <https://www.jstor.org/stable/40389987>; Pascha Bueno-Hansen, “The Emerging LGBTI Rights Challenge to Transitional Justice in Latin America,” *International Journal of Transitional Justice* 12, no. 1 (March 2018): 127, <https://doi.org/10.1093/ijtj/ijx031>.

have not had sufficient opportunities for participation in accountability and reform measures; the needs of LGBTIQ+ people have too often been excluded from transitional justice agendas; and ending GBV has rarely been a priority. These flaws lead to processes and policies that reflect only a partial understanding of the human rights violations being addressed, limiting the potential of transitional justice to contribute to a more just society for all and, ultimately, hindering political and legal transformation during periods of strategic renegotiation.⁸

Legislative reform is often part of transitional justice processes. The incorporation of international human rights standards and the domestication of relevant crimes into national legislation, for example, can be essential for enabling responses to violations and preventing their recurrence. Similarly, the repeal or reform of laws that entrench or permit discrimination, which fuels violence and marginalization, is likely to prevent future violence⁹ and help communities move towards more peaceful times. Several truth commissions and peace agreements have made recommendations to this effect.¹⁰ The Truth and Reconciliation Commission in South Africa, for instance, urged the government to align its penal

system with international standards to redress injustices entrenched under apartheid.¹¹ In Sierra Leone, the Truth and Reconciliation Commission underscored the importance of amending outdated laws¹² and recommended establishing a law reform commission to ensure that domestic legislation reflected post-conflict realities and human rights principles.¹³ Similarly, the Canadian Truth and Reconciliation Commission advanced a series of detailed legislative recommendations, calling on all levels of government to enact new laws on Aboriginal education¹⁴ and child welfare¹⁵ and create a National Council for Reconciliation as measures aimed at institutionalizing equality and repairing the enduring harms of colonial policies.¹⁶

Reforming laws and policies that discriminate on the basis of sex, gender, sexual orientation or gender identity is one way of addressing legacies of gendered harm, including sexual and gender-based violence (SGBV), if it serves as a guarantee of non-repetition.¹⁷ It is also a key step in dismantling structural barriers to gender equality, such as those manifested through social and economic rights violations, including the lack of access to food, housing or healthcare, which can be caused or exacerbated by conflict.¹⁸

⁸. Ní Aoláin, "Women, Security, and the Patriarchy of Internationalized Transitional Justice," 1056; Brandon Hamber, "There Is a Crack in Everything: Problematizing Masculinities, Peacebuilding and Transitional Justice," *Human Rights Review* 17, no. 1 (March 2016): 12–17, <https://doi.org/10.1007/s12142-015-0377-z>; Brandon Hamber, "Masculinity and Transitional Justice: An Exploratory Essay," *International Journal of Transitional Justice* 1, no. 3 (2007): 376, 379–80, <https://doi.org/10.1093/ijtj/ijm037>.

⁹. Pablo de Greiff, Report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence, UN Human Rights Council, A/HRC/30/42, ¶¶ 63–67 (September 7, 2015), https://www.ohchr.org/sites/default/files/HRBodies/HRC/RegularSessions/Session30/Documents/A_HRC_30_42_ENG.DOCX.

¹⁰. *Ibid.*, 15.

¹¹. Truth and Reconciliation Commission of South Africa, *Truth and Reconciliation Commission of South Africa Report*, vol. 5 (Cape Town: Government of South Africa, 1998), 315, <https://sahistory.org.za/archive/trc-final-report-volume-5>.

¹². Truth and Reconciliation Commission of Sierra Leone, *Report of the Truth and Reconciliation Commission of Sierra Leone*, vol. 2 (Freetown: Government of Sierra Leone, 2004), 151, <https://atjhub.csvr.org.za/wp-content/uploads/2021/08/TRC-Final-Report-Volume-2.pdf>.

¹³. *Ibid.*

¹⁴. Truth and Reconciliation Commission of Canada, *Calls to Action* (Winnipeg: Truth and Reconciliation Commission of Canada, 2015), 2, https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/indigenous-people/aboriginal-peoples-documents/calls_to_action_english2.pdf.

¹⁵. *Ibid.*, 1.

¹⁶. *Ibid.*, 6.

¹⁷. UN Office of the High Commissioner for Human Rights (OHCHR), *Transitional Justice and Economic, Social and Cultural Rights*, HR/PUB/13/5, 44–45, 56–58 (January 2014), <https://www.ohchr.org/Documents/Publications/HR-PUB-13-05.pdf>.

¹⁸. *Ibid.*, 44–45, 56–58; Henri Myrtilinen and Nicola Popovic, "We Were Like Caged Birds, This Gave Us Wings to Fly": A Review of UN Women Programming on Gender-Sensitive Transitional Justice (New York: UN Women, 2019), 12.

REFORMING LAWS AND POLICIES THAT DISCRIMINATE ON THE BASIS OF SEX, GENDER, SEXUAL ORIENTATION OR GENDER IDENTITY IS ONE WAY OF ADDRESSING LEGACIES OF GENDERED HARM, INCLUDING SEXUAL AND GENDER-BASED VIOLENCE.

When women and girls do not enjoy equality before the law, their ability to meet basic needs and fully exercise their human rights is constrained and they are disproportionately exposed to certain forms of harm in contexts of large-scale abuses. On the contrary, legislative frameworks that seek to advance gender equality do not privilege one group over another; rather, they establish the conditions for equal protection and equal benefit of the law for all persons, regardless of sex or gender.

This report analyses how legislative reform can be designed and implemented to promote the protection of fundamental human rights for all, with particular attention to the rights of women, girls and LGBTIQ+ people. Chapter 1 situates legislative reform within the framework of transitional justice and examines how it can contribute to achieving its goals. Chapter 2 explores the relationship between gender and discriminatory laws, highlighting legislative reform as a tool to address legacies of gender-based discrimination. Chapter 3 analyses the conditions under which gender-related legislative reform can effectively advance both gender equality and the goals of transitional justice.¹⁹ The report concludes with recommendations in Chapter 4.

To complement the comparative and thematic analysis in this report, two countries, Colombia and Nepal, were examined in-depth and are presented as annexes to this report. These countries were selected as case studies because of their extensive engagement with

legislative reform as part of broader transitional justice processes and because they offer rich insights into how gender-responsive legal change can contribute to accountability, reparations and guarantees of non-recurrence in complex post-conflict contexts. Both countries illustrate the interactions between sustained civil society advocacy, including by women and victims/survivors organizations, constitutional and legislative reform and ongoing implementation and enforcement challenges.

Annex I examines Colombia's experience with legislative reform across successive peace processes, highlighting the role of women's, victims', and LGBTIQ+ organizations in shaping gender-responsive transitional justice institutions. Annex II analyses Nepal's post-conflict constitutional and legal reforms through a gender equality lens, with particular attention to survivors of sexual violence and the persistence of structural discrimination. Together, these annexes provide concrete examples that support and enrich the findings and recommendations outlined in the main body of the report.

¹⁹. These insights are drawn from a survey of 22 countries and territories: Afghanistan, Algeria, Bosnia, Cambodia, Chile, Colombia, Croatia, East Timor, Guatemala, Kenya, Kosovo, Liberia, Morocco, Nepal, Peru, Rwanda, Serbia, Sierra Leone, South Africa, Sri Lanka, Sudan and Uganda.

1

**HOW DOES LEGISLATIVE
REFORM CONTRIBUTE
TO THE GOALS OF
TRANSITIONAL JUSTICE?**



Photo: UN Women/Pedro Pio. Photograph used for illustrative purposes only and not associated with the individuals or organizations referenced in this report.

Legislative reform “is the process of analysing current laws and implementing changes in them with a specific objective, such as enhancing justice or efficiency”.²⁰ There are multiple ways to undertake legislative reform, including by repealing laws, creating or amending laws, consolidating laws on a specific issue or topic into a single instrument and codifying laws.²¹ Further, legislative reform can address procedural

laws as well as broader substantive legislation. It can also encompass crucial changes, such as the incorporation of a bill of rights, the abolition of discriminatory measures, the adoption of mechanisms to promote inclusion, the allocation of resources and/or the strengthening of the separation of powers.

²⁰. Nicole Cardinal, “Pursuing Law Reforms, Strategic Litigation and Legal Empowerment,” in *SDG Accountability Handbook: A Practical Guide for Civil Society* (Transparency, Accountability and Participation Network, 2019), 49, <https://sdgaccountability.org/sdg-accountability-handbook/>.

²¹. Ibid.

Legislative reform is not a transitional justice pillar per se but falls within the transitional justice framework in three overlapping ways.

First, legislative reform constitutes one component of the broader concept of institutional reform, which is frequently a core element of transitional justice processes.²² Institutional reform entails “reviewing and restructuring state institutions to ensure that they respect fundamental human rights, uphold the rule of law and enhance accountability to their constituents”.²³ While such reforms often focus on the police, military and judiciary, addressing other public institutions is frequently necessary to ensure comprehensive and sustainable change.²⁴ Institutional reform processes typically encompass a combination of measures, including vetting, training relevant personnel in international human rights and humanitarian law, creating oversight mechanisms and reforming the legal frameworks governing institutional mandates, structures and procedures, among others.²⁵

Second, legislative reform falls under the guarantees of non-recurrence pillar, which includes all measures aimed at halting ongoing violations and preventing their repetition.²⁶ Guarantees of non-recurrence normally consider the root causes of the violations and aim to disrupt and transform the *conditions* that caused or enabled violence and to strengthen the social fabric. Some examples of actions under this pillar are memorialization, measures targeting education, initiatives to promote societal dialogue

and inter-group solidarity and, naturally, institutional and legislative reforms.²⁷

Third, legislative reform can also operate as a form of reparations, particularly as a guarantee of non-repetition. Reparations for serious human rights violations encompass a range of measures, including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition, and they may include both individual and structural actions.²⁸ Within this framework, the review and reform of laws that contributed to discrimination, exclusion or abuse can serve a

THE REVIEW AND REFORM OF LAWS THAT CONTRIBUTED TO DISCRIMINATION, EXCLUSION OR ABUSE CAN SERVE A REPARATIVE FUNCTION BY ACKNOWLEDGING PAST HARM WHILE SIMULTANEOUSLY HELPING TO PREVENT THE RECURRENCE OF SIMILAR VIOLATIONS.

²² OHCHR, *Transitional Justice and Economic, Social and Cultural Rights*, 44–45, 56–57.

²³ “Institutional Reform,” International Center for Transitional Justice (ICTJ), accessed February 4, 2026, <https://www.ictj.org/institutional-reform>.

²⁴ OHCHR, *Transitional Justice and Economic, Social and Cultural Rights*, 45.

²⁵ Ibid., 44; “Institutional Reform,” ICTJ.

²⁶ Fabián Salvioli, Report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence, UN General Assembly, A/76/180, ¶ 81 (July 19, 2021), <https://docs.un.org/en/A/76/180>.

²⁷ de Greiff, Report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence, ¶¶ 92–102, 116.

²⁸ UN General Assembly, Resolution 60/147, Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, A/RES/60/147 (March 21, 2006), <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-and-guidelines-right-remedy-and-reparation>.

reparative function by acknowledging past harm while simultaneously helping to prevent the recurrence of similar violations.

In sum, legislative reform, whether undertaken as part of broader institutional reforms, a measure to ensure non-recurrence, or a component of reparations for victims, can play a central role in advancing the objectives of transitional justice. It is particularly critical in contexts where the legal framework has contributed to discrimination or failed to protect the rights and fundamental freedoms of certain segments of the population.



2

**LEGISLATIVE REFORM
AS A WAY TO ADDRESS
LEGACIES OF GENDER-
BASED DISCRIMINATION
AND VIOLENCE**

For legislative reform to provide a “foundation for sustainable justice”, it must be comprehensive in scope and transformative in ambition.²⁹ Where legislative reform seeks to drive structural change at the institutional level and address the conditions that enabled conflict or repression, it must also confront the root causes of violence and exclusion.³⁰ This requires tackling the legal and social hierarchies that produce and reproduce discrimination, marginalization and inequality, including those based on gender.

Gender inequality is not enforced solely through social norms; rather, it is often codified in law. In many contexts, discrimination against women, girls and persons of diverse sexual orientation or gender identity is embedded in legal frameworks, including through the formal regulation of family relations, inheritance and property rights, among others.

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) defines discrimination against women as “any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, ... on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field”.³¹ At the same time, discrimination against women does not exhaust the forms of gender-based discrimination that exist in law and practice. Systemic gendered power imbalances and patriarchal norms that reinforce rigid gender roles and stereotypes also create discrimination against and marginalization of individuals who do not conform to dominant expectations regarding gender and sexuality. This includes people with diverse sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC), or those perceived

as such.³² Both forms of gender-based discrimination are frequently reified through legal frameworks that regulate rights, identities and access to protection in unequal and exclusionary ways.

BOX 1

Legal Gender Equality Remains Decades Away

Despite decades of international commitments to gender equality, discriminatory laws remain widespread. According to global monitoring under Sustainable Development Goal (SDG) Indicator 5.1.1, which tracks whether legal frameworks promote, enforce and monitor equality and non-discrimination on the basis of sex, progress has been uneven and slow. At the current pace of reform, it is estimated that it could take approximately 286 years to eliminate discriminatory laws and achieve legal gender equality worldwide. This persistent legal inequality underscores the central role of legislative reform in addressing structural gender discrimination and preventing its reproduction over time.

Source: UN Women, *Progress on the Sustainable Development Goals: The Gender Snapshot 2022*. New York: United Nations, 2022.

Some examples of gender-based discriminatory laws are:

- Laws that fail to criminalize sexual and gender-based violence (SGBV), including marital rape and domestic violence.

²⁹. OHCHR, *Transitional Justice and Economic, Social and Cultural Rights*, 44; Diane Orentlicher, Report of the Independent Expert to Update the Set of Principles to Combat Impunity, UN Commission on Human Rights, E/CN.4/2005/102, ¶ 66 (February 18, 2005) <https://docs.un.org/en/E/CN.4/2005/102>.

³⁰. OHCHR, *Transitional Justice and Economic, Social and Cultural Rights*, 44.

³¹. Convention on the Elimination of All Forms of Discrimination against Women, December 18, 1979, 1249 U.N.T.S. 13.

³². UN Women, *LGBTIQ+ Equality and Rights: Internal Resource Guide* (New York: UN Women, 2022), <https://www.unwomen.org/en/digital-library/publications/2022/06/lgbtiq-equality-and-rights-internal-resource-guide>.

- Laws that do not grant equal rights to men and women regarding divorce, choosing marital residence or deciding when and whom to marry.
- Laws that apply a different treatment to women and men regarding freedom of movement, land tenure, inheritance, applying for a passport, signing contracts or the right to acquire, retain, change or confer nationality to spouses or children.
- Laws that exclude women from certain types of employment.
- Laws that reflect different scales of remuneration for women and men undertaking the same tasks.
- Laws that criminalize behaviour that impacts female autonomy and sexual and reproductive rights.
- Laws that punish women for acts that are not considered crimes by any international legal standard, such as adultery, acts deemed incompatible with chastity, running away from home without permission, failure to respect modesty and dress codes, or sexual relations outside marriage, including situations where women who report rape are prosecuted when their claims do not meet evidentiary thresholds.
- Laws that permit perpetrators of rape to marry the survivor or invoke 'honour', 'provocation' or voluntary intoxication to escape criminal responsibility.
- Laws that permit child marriage.
- Laws that criminalize homosexuality.
- Laws that restrict marriage to cis-heterosexual couples.
- Laws that do not allow individuals to have their self-identified gender recognized by the State, which leads to obstacles to exercising other rights.

These laws fail to uphold the human rights of women and people of diverse SOGIESC. Research has shown that countries that have higher levels of gender inequality are more likely to experience internal conflict, more severe violence and more fragile post-conflict peace.³³ Unsurprisingly, structural gender inequality in the law has been associated with higher levels of state fragility and instability.³⁴ This is a self-reinforcing cycle where gender inequality and conflict mutually exacerbate each other. Discriminatory laws contribute to conditions that make conflict more likely, and when conflict occurs, it typically further entrenches gender-based discrimination.³⁵ During periods of violence, traditional gender roles often become more rigid as societies prioritize immediate security over long-term equality.³⁶ Women and gender minorities face increased restrictions on their movement, participation and rights, while militarized masculinity

³³. M. Caprioli, "Primed for Violence: The Role of Gender Inequality in Predicting Internal Conflict," *International Studies Quarterly* 49, no. 2, (June 2005): 161–178, <https://doi.org/10.1111/j.0020-8833.2005.00340.x>; Louise Olsson and Erika Forsberg, "Gender Inequality and Internal Conflict," in *Oxford Research Encyclopedia of Politics* (Oxford: Oxford University Press, 2016); Sirianne Dahlum and Tore Wig, "Peace above the Glass Ceiling: The Historical Relationship Between Female Political Empowerment and Civil Conflict," *International Studies Quarterly* 64, no. 4 (December 2020): 879–893, <https://www.jstor.org/stable/48619404>; Jacqueline Demeritt, Angela Nichols, and Eliza G. Kelly, "Female Participation and Civil War Relapse," *Civil Wars* 16, no. 3 (2014): 346–368, <https://doi.org/10.1080/13698249.2014.966427>; Erik Melander, "Gender Equality and Intrastate Armed Conflict," *International Studies Quarterly* 49, no. 4 (December 2005): 695–714, <https://doi.org/10.1111/j.1468-2478.2005.00384.x>; Elisabeth Prügl, "Gender as a Cause of Violent Conflict," *International Affairs* 99, no. 5 (September 2023): 1885–1904, <https://doi.org/10.1093/ia/iad184>.

³⁴. Donna Lee Bowen, Valerie M. Hudson, and Perpetua Lynne Nielsen, "State Fragility and Structural Gender Inequality in Family Law: An Empirical Investigation," *Laws* 4, no. 4 (October 2015): 654–672, <https://doi.org/10.3390/laws4040654>.

³⁵. Prügl, "Gender as a Cause of Violent Conflict," 1886–1887.

³⁶. Maya Eichler, "Militarized Masculinities in International Relations," *The Brown Journal of World Affairs* 21, no. 1 (Fall/Winter 2014): 82–83, <https://www.jstor.org/stable/24591032>; Iris Marion Young, "The Logic of Masculinist Protection: Reflections on the Current Security State," *Signs* 29, no. 1 (October 2005): 25–26, <https://doi.org/10.1093/0195175344.003.0002>; Prügl, "Gender as a Cause of Violent Conflict," 1898.

THIS IS A SELF-REINFORCING CYCLE WHERE GENDER INEQUALITY AND CONFLICT MUTUALLY EXACERBATE EACH OTHER. DISCRIMINATORY LAWS CONTRIBUTE TO CONDITIONS THAT MAKE CONFLICT MORE LIKELY, AND WHEN CONFLICT OCCURS, IT TYPICALLY FURTHER ENTRENCHES GENDER-BASED DISCRIMINATION.

becomes valorized as necessary for national defence.³⁷ Conversely, if laws and public policies are designed to advance substantive gender equality and non-discrimination and are effectively enforced, they can catalyse change that leads to material benefits for women and others affected by gender-based discrimination over time.³⁸ They can implicitly drive social change by redressing harms caused by previous discrimination and can influence social institutions, norms and behaviours by legitimizing certain conduct and values while delegitimizing harmful actors through legal prohibitions.³⁹ However, law reforms and legislative measures are most effective at engendering social change when combined with other transformative measures and efforts to tackle structural injustices that cause and reproduce gender inequality.⁴⁰

Moreover, legislative processes in democratic societies can foster transparency and community ownership if elected representatives respect and implement established standards for promoting inclusivity and transparency in such processes.⁴¹ They can create space for public debate on social issues, facilitate dialogue between representatives and their constituents, and open avenues for meaningful civil society engagement and advocacy.⁴²

Legislative reform carried out as part of a transitional justice process should entail inclusive consultations with all stakeholders, including marginalized communities, victims and survivors' representatives or groups, activists, scholars working on gender issues, political parties, the security sector and militant groups.⁴³

³⁷. Dyan Mazurana and Keith Proctor, "Gender, Conflict and Peace," *World Peace Foundation Occasional Paper* (October 15, 2013): 4, <https://worldpeacefoundation.org/wp-content/uploads/2024/03/Gender-Conflict-and-Peace.pdf>; Prügl, "Gender as a Cause of Violent Conflict," 1898.

³⁸. UN Women, *The Crucial Role of Legal Frameworks in Advancing Gender Equality* (New York: UN Women, 2024), <https://www.unwomen.org/sites/default/files/2024-03/infographic-the-crucial-role-of-legal-frameworks-in-advancing-gender-equality-en.pdf>; Ramona Vijayarasa, "Making the Law Work for Women: Standard-Setting Through a New Gender Legislative Index," *Alternative Law Journal* 44, no. 4 (December 2019): 275–280, <https://doi.org/10.1177/1037969X19861751>; Jose-Miguel Bello y Villarino, "Transitional Justice for Women: Acknowledge the Past, Fix the Present, Prevent Repetitions in the Future," *Alternative Law Journal* 45, no. 2 (June 2020): 88–93, <https://doi.org/10.1177/1037969X19899769>.

³⁹. Vijayarasa, "Making the Law Work for Women," 275–280.

⁴⁰. Fionnuala Ní Aoláin, "Transformative Gender Justice?" in *From Transitional to Transformative Justice*, eds. Paul Greedy and Simon Robins (Cambridge: Cambridge University Press, 2019), 150; Kirsten Campbell, "Gender Justice beyond the Tribunals: From Criminal Accountability to Transformative Justice," *AJIL Unbound* 110 (January 2017): 227–29, <https://doi.org/10.1017/S2398772300009077>.

⁴¹. Vijayarasa, "Making the Law Work for Women," 277; Wim Voermans, Hans-Martien ten Napel, and Reijer Passchier, "Combining Efficiency and Transparency in Legislative Processes," *Theory and Practice of Legislation* 3, no. 3 (2015): 279, <https://doi.org/10.1080/0508840.2015.1133398>.

⁴². Vijayarasa, "Making the Law Work for Women," 277.

⁴³. Vasuki Nesiiah et al., *Truth Commissions and Gender: Principles, Policies, and Procedures* (New York: International Center for Transitional Justice, 2006), 6 (extensive consultations in these law reform processes mirrors those within other transitional justice processes, such as in Truth Commissions, which are used to reflect various perspectives, including local debates and contestations about certain issues to promote inclusivity and the representation of the interests of multiple groups in transitional societies).

Legislative reform must also consider all aspects of women's and girls' experiences before, during and after conflict and authoritarianism and address the violation of their rights as a vital step towards creating a culture that respects human rights and the rule of law. For example, legislation addressing conflict-related sexual violence (CRSV) by incorporating applicable international legal standards and creating a criminal justice system capable of holding perpetrators accountable is essential for preventing the recurrence of gender-based violence (GBV) in post-conflict or post-authoritarian societies.⁴⁴

In sum, legislative reform represents a critical pathway for addressing legacies of gender-based discrimination and violence within transitional justice processes. By dismantling discriminatory legal frameworks, embedding principles of equality and non-discrimination and enshrining rights that are enforceable within functioning justice systems, legislative reform can help disrupt the self-reinforcing cycle of gender inequality and conflict, address structural drivers of violence and lay the groundwork for more inclusive and resilient societies. When undertaken through inclusive, transparent and participatory processes, legislative reform has the potential to not only prevent the recurrence of violations, but also contribute to the longer-term transformation of social norms and power relations. As the following sections explore, realizing this potential requires careful attention to the conditions under which gender-responsive legislative reform can be effectively designed, adopted and translated into meaningful change.

1. COMPLEXITIES

Legislative reform is a legalistic approach to transitional justice and, as such, is not immune to critiques.

The first critique is that liberal legal frameworks used in transitional justice initiatives have largely emerged from Western legal traditions. Critics caution that when such frameworks are applied in a standardized or unreflective manner, they risk being insufficiently attuned to local contexts, social norms and power relations.⁴⁵ Legislative reform does not by its mere occurrence lead to a net positive, particularly if:

- The process is introduced at the behest of political elites or donors and undertaken without meaningful consultation with a range of stakeholders.
- The proposed laws do not reflect the country's specific context.
- The adopted laws fail to accommodate intersectional harms, embed and reinforce harmful gender biases and stereotypes, marginally change outdated (sometimes colonial-era) laws, or account for a narrow range of gender-related harms (for example, by overemphasizing CRSV to the detriment of other significant aspects of women's and girls' experiences of conflict).
- The adopted gender-responsive laws are not effectively enforced.⁴⁶

Similarly, legislative reform risks remaining largely symbolic if it is not supported by adequate resources, institutional capacity and clear guidance to enable effective implementation and enforcement in practice.

⁴⁴ Wendy Lambourne and Vivianna Rodriguez Carreon, "Engendering Transitional Justice: A Transformative Approach to Building Peace and Attaining Human Rights for Women," *Human Rights Review* 17, no. 1 (March 2016): 73, <https://doi.org/10.1007/s12142-015-0376-0>.

⁴⁵ Susanne Buckley-Zistel and Magdalena Zolkos, "Introduction: Gender in Transitional Justice," in *Gender in Transitional Justice*, eds. Susanne Buckley-Zistel & Ruth Stanley (Houndmills, Basingstoke, Hampshire; Palgrave Macmillan, 2012), 18.

⁴⁶ Fionnuala Ní Aoláin, "Advancing Feminist Positioning in the Field of Transitional Justice" *International Journal of Transitional Justice* 6, no. 2 (July 2012): 206–9, 220, <https://doi.org/10.1093/ijtj/ijts013>; see also Vijayarasa, "Making the Law Work for Women," 276–277, 279–280; Fionnuala Ní Aoláin and Eilish Rooney, "Underenforcement and Intersectionality: Gendered Aspects of Transition for Women," *International Journal of Transitional Justice* 1, no. 3 (December 2007): 343–51, <https://doi.org/10.1093/ijtj/ijm031>; Dana Zartner, "The Culture of Law: Understanding the Influence of Legal Tradition on Transitional Justice in Post-Conflict Societies," *Indiana International and Comparative Law Review* 22, no. 2 (January 2012): 297, <https://journals.indianapolis.iu.edu/index.php/iiclr/article/view/17864/17831>; Rosemary Nagy, "Transitional Justice as Global Project: Critical Reflections," *Third World Quarterly* 29, no. 2 (January 2008): 278–79, 284–87, <https://www.jstor.org/stable/20455040>.

These challenges are bolstered by the preference for legalistic approaches of international donors and the international community, which see law as a neutral, universal and apolitical way to embed human rights protections into societies. However, some scholars criticize the reliance on these liberal law frameworks, particularly in transitional justice situations, because they often embed patriarchal norms that undermine gender-just outcomes.⁴⁷

Second, transitional justice processes often deal with extraordinary civil and political human rights violations while ordinary economic, social and cultural rights violations, which are often most commonly experienced by women, are frequently outside their scope.⁴⁸ Therefore, legislative reform in transitional societies that reproduces the distinction between ordinary and extraordinary harm creates a gendered hierarchy of suffering and makes legislative and judicial processes blind to structural, social and gender injustice.⁴⁹ This approach is also likely to lead to the recognition of only a piece of the overall macrostructure of harm experienced during conflicts. In addition, it reinforces the false dichotomy of conflict and post-conflict by failing to focus on the grave violations' context, motivation and location along a continuum of violence.⁵⁰

Furthermore, legislative reform, though necessary, is not sufficient. A holistic approach to transitional justice is crucial for maximizing the benefits of legislative reform.⁵¹ Transitional justice mechanisms, in general, must tackle structural violence, which is a root cause of conflict and instability yet is often rendered invisible after the extraordinary violence ends.⁵² GBV in conflict often leads to GBV manifesting in other forms post-conflict: for example, in Sierra Leone, the rates of domestic violence rose after the war in the areas settled by former fighters.⁵³ Gender-sensitive programmes and interventions must be designed, structured and implemented holistically, including as part of rehabilitation and reintegration strategies, to generally help change mindsets and prevent gender discrimination during peacetime.

⁴⁷. Christine Bell and Catherine O'Rourke, "Does Feminism Need a Theory of Transitional Justice? An Introductory Essay," *International Journal of Transitional Justice* 1, no. 1 (March 2007): 23, <https://doi.org/10.1093/ijtj/ijm002>; Kirsten Campbell, "The Gender of Transitional Justice: Law, Sexual Violence and the International Criminal Tribunal for the Former Yugoslavia," *International Journal of Transitional Justice* 1, no. 3 (December 2007): 411, <https://doi.org/10.1093/ijtj/ijm033>.

⁴⁸. Nagy, "Transitional Justice as Global Project," 285–6.

⁴⁹. Catherine O'Rourke, "Transitional Justice and Gender" in *Research Handbook on Transitional Justice*, eds. Cheryl Lawther, Luke Moffett, and Dov Jacobs (Cheltenham, UK: Edward Elgar Publishing, 2017), 140–41; Hamber, "There Is a Crack in Everything," 12–17; Buckley-Zistel and Zolkos, "Introduction: Gender in Transitional Justice," 8; Hamber, "Masculinity and Transitional Justice," 376, 379–80 (these transitional justice scholars argue that the failure to recognize the harms perpetrated against certain groups leads to the privileging of certain groups over others and the marginalization or exclusion of different groups' needs and interests. This approach leads to a failure to deeply interrogate the connections between certain harms and limits the ability to identify the underlying structures, practices and norms that cause, sustain and reinforce those harms as well as the opportunities to disrupt them. These critiques and consequences of failing to recognize certain harms in transitional justice interventions also likely apply to legal frameworks that do not recognize and prohibit certain harmful acts as well as those that fail to adopt policies and other measures for addressing and redressing these harms).

⁵⁰. Nahla Valji, "Gender Justice and Reconciliation," *Centre for the Study of Violence and Reconciliation* (November 2007), 6, https://www.sarpn.org/documents/d0002922/Gender_justice_FES_Nov2007.pdf.

⁵¹. Ní Aoláin, "Women, Security, and the Patriarchy of Internationalized Transitional Justice," 1060.

⁵². Ní Aoláin, "Transformative Gender Justice?," 150; Nagy, "Transitional Justice as Global Project," 276–79, 285–7.

⁵³. Valerie Oosterveld, "Sexual and Gender-Based Violence in Post-Conflict Sierra Leone: The Contribution of Transitional Justice Mechanisms to Domestic Law Reform," in *Evaluating Transitional Justice: Accountability and Peacebuilding in Post-Conflict Sierra Leone*, eds. Oliver P. Richmond, Annika Björkdahl, and Gezim Visoka (London: Palgrave Macmillan, 2015), 133, https://doi.org/10.1057/9781137468222_7.

3

**KEY FACTORS OF
LEGISLATIVE REFORM
AS A MECHANISM FOR
TRANSITIONAL JUSTICE**

This section synthesizes the key observations and recurring themes that emerged from the analysis of the selected 22 countries and territories⁵⁴ that have undertaken transitional justice processes. It identifies the conditions under which legislative reform has meaningfully contributed to advancing transitional justice objectives, particularly in relation to gender equality and accountability for sexual and gender-based violence (SGBV).

Across the countries and territories studied, the effectiveness of legislative reform was shaped by a combination of political, institutional, social and cultural factors, both inside and outside the formal legal system. No single factor proved determinative on its own. Rather, reforms were most likely to generate substantive change where multiple enabling conditions were present and mutually reinforcing. Legislative reform functioned best when embedded within broader processes of social transformation, institutional reform and inclusive participation and when supported by the sustained engagement of state actors, civil society and international partners.

The analysis also highlights that legislative reform is not a linear or purely technical exercise and the adoption or amendment of laws does not automatically translate into improved protection or equality in practice. Instead, outcomes depended on whether reforms were accompanied by institutional arrangements capable of operationalizing legal change; affected communities, particularly women and marginalized groups, were meaningfully involved in shaping and monitoring reforms; and social norms and historical legacies of violence were addressed. Where these elements were absent or fragmented, legislative reform tended to remain symbolic or uneven in its effects.

LEGISLATIVE REFORM IS NOT A LINEAR OR PURELY TECHNICAL EXERCISE AND THE ADOPTION OR AMENDMENT OF LAWS DOES NOT AUTOMATICALLY TRANSLATE INTO IMPROVED PROTECTION OR EQUALITY IN PRACTICE.

The following subsections examine these dynamics in greater detail, outlining the key factors that influence whether legislative reform can serve as an effective transitional justice mechanism to advance gender equality:

- Sustained civil society mobilization for gender-responsive legal reform;
- International support that reinforces locally driven reform;
- Women's leadership in post-conflict reconstruction and governance;
- Leveraging cultural norms to advance gender equality;
- Intersectional frameworks addressing multiple and overlapping inequalities;
- Political will to implement, monitor and enforce legislative reform;

⁵⁴. These insights are drawn from a survey of 22 countries and territories that have undergone or are currently undergoing transitional justice processes: Afghanistan, Algeria, Bosnia, Cambodia, Chile, Colombia, Croatia, East Timor, Guatemala, Kenya, Kosovo, Liberia, Morocco, Nepal, Peru, Rwanda, Serbia, Sierra Leone, South Africa, Sri Lanka, Sudan and Uganda.

- Legal recognition of the structural and gendered legacies of violence; and
- Commitment to substantive equality through effective resource allocation and institutional design.

1. SUSTAINED CIVIL SOCIETY MOBILIZATION FOR GENDER-RESPONSIVE LEGAL REFORM

The sustained involvement of civil society, particularly women's groups, in transitional justice processes can help foster political gains that advance legislative reform and build political will for reforming discriminatory laws. The participation of women at both micro and macro levels, in formal and informal processes, helps shape political agendas and gain leverage to advocate for substantive gains, such as legislative and policy changes. Women also tend to both directly observe and bear the brunt of the social effects of conflict, both during armed conflict and in post-conflict societies. As such, their experiences are crucial for identifying the conflict's root causes and manifestations. These findings resonate with UN Women and UNDP's research on women's meaningful participation in transitional justice, which underscores that participation must go beyond numerical representation and include women's influence over decision-making and outcomes. That research identifies sustained engagement by diverse women, including through civil society organizations, as critical for confronting discriminatory power structures and ensuring that transitional

justice processes respond to the lived realities of those most affected by conflict and repression.⁵⁵ This was demonstrated in, for example, Colombia and Liberia.

1.1. Colombia

In Colombia, women's and feminist organizations have played a sustained and influential role in shaping legislative reform and transitional justice outcomes over several decades. Civil society engagement predates the 2016 Peace Agreement and had progressively developed across earlier peace processes. Since the 1980s, women's networks, such as the Cumbre Nacional de Mujeres y Paz and Grupo de Trabajo Género en la Paz (GPAZ), have mobilized to document abuses, articulate the gendered impacts of the conflict and advocate for legal and institutional reform.⁵⁶

Women's organizations have been instrumental in advancing a more victim-centred transitional justice framework. Civil society organizations, such as Iniciativa Mujeres por la Paz, have engaged in sustained advocacy throughout the multiple phases of Colombia's protracted transitional justice process. Through this work, they have developed significant expertise and identified lessons that have fed into subsequent transitional justice measures, contributing to more effective approaches over time. Sustained advocacy around the Justice and Peace Law (Law 975 of 2005) contributed to reforms strengthening victims' participation, improving procedures for sexual violence cases and introducing specific rules on land restitution for women.⁵⁷ This advocacy was further reflected in the Victims and Land Restitution Law (Law

⁵⁵. See UN Women and UNDP, *Women's Meaningful Participation in Transitional Justice: Advancing Gender Equality and Building Sustainable Peace* (New York: UN Women and UNDP, 2022), <https://www.unwomen.org/en/digital-library/publications/2022/03/research-paper-womens-meaningful-participation-in-transitional-justice>.

⁵⁶. Cumbre Nacional de Mujeres y Paz, "¿Quiénes Somos?," last modified July 17, 2024, <https://www.cumbrenacionaldemujeresypaz.com.co/sobre-la-cumbre/quienes-somos/>; José Alvarado Cobar, "Inclusión Estratégica de la Sociedad Civil: Participación de Mujeres y Grupos LGBTI en el Proceso de Paz en Colombia," *SIPRI Background Paper* (November 2020), 8–9, https://www.sipri.org/sites/default/files/2020-12/bp_2011_inclusion_in_colombia_peace_process_esp.pdf; Nina Chaparro González and Margarita Martínez Osorio, "Negociando Desde los Márgenes: La Participación Política de las Mujeres en los Procesos de Paz en Colombia (1982-2016)," *Ideas Para Construir la Paz* 29 (Dejusticia, 2016), <https://www.dejusticia.org/publication/negociando-desde-los-margenes-la-participacion-politica-de-las-mujeres-en-los-procesos-de-paz-de-colombia-1982-2016/>.

⁵⁷. Alina Rocha Menocal, "Women's Participation and Influence in Transitions from Conflict: The Case of Colombia," *ODI Country Study* (London: ODI, 2022), 22, https://odi.org/documents/8156/WPS_Colombia_case_study_FINAL_FCDO_v2_SUff0jL.pdf.

1448 of 2011), which incorporates gender-sensitive provisions addressing sexual violence, displacement and women's access to land and reparations.⁵⁸

Civil society engagement also decisively shaped the 2016 Peace Agreement between the Revolutionary Armed Forces of Colombia – People's Army (FARC-EP) and the Government of Colombia. Although organizations of women and LGBTIQ+ people were initially excluded from formal negotiations, sustained mobilization by women's networks, such as Ruta Pacífica de las Mujeres, Red Nacional de Mujeres and Alianza Iniciativa de Mujeres Colombianas por la Paz, led to the creation of a dedicated Gender Sub-Commission and extensive public consultations. By the time the agreement was signed, women comprised approximately 20 per cent of the government's negotiating team and 43 per cent of the FARC-EP delegation.⁵⁹

As a result, the Peace Agreement incorporated a cross-cutting gender perspective and included over 100 gender-related commitments across all substantive chapters, including rural reform, political participation, victims' rights, and implementation mechanisms. The agreement explicitly recognizes SGBV as a grave violation and integrates gender considerations throughout the transitional justice architecture.⁶⁰ Since 2016, women's organizations have remained actively engaged in monitoring and implementation.

Civil society continues to advocate for amendments to planning and participation frameworks to strengthen participatory budgeting and local inclusion.⁶¹

Women's civil society influence has also extended into subsequent transitional justice-related legislative reform. The case of Nydia Erika Bautista, who was forcibly disappeared in 1987, and the decades-long leadership of her sister, Yanette Bautista, illustrate how women relatives of victims transformed individual searches into sustained collective advocacy. The mobilization of the Fundación Nydia Erika Bautista and broader networks of women searchers contributed to the adoption of Law 2364 of 2024 (Ley de Mujeres Buscadoras), which recognizes women searchers as rights holders and establishes state protection measures and obligations.⁶²

1.2. Liberia

A women's movement known as the Women of Liberia Mass Action for Peace successfully advocated for the conclusion of a peace agreement to end the armed conflict in Liberia, which resulted in the Accra Comprehensive Peace Agreement in August 2003.⁶³

Following the end of the conflict, women's groups and women activists continued their advocacy efforts, turning their attention to reforming the rape and

⁵⁸. Ibid., 23.

⁵⁹. "The Peace Deal that Put Women First: What Colombia Taught the World", *UN Women*, July 10 2025, <https://www.unwomen.org/es/noticias/reportaje/2025/07/el-acuerdo-de-paz-que-puso-a-las-mujeres-primero-lo-que-colombia-le-enseno-al-mundo>; Lisa Davis, "Third Party at the Table: Afro-Colombian Women's Struggle for Peace and Inclusion," *Columbia Human Rights Law Review* 4, no. 363 (January 2021): 364, <https://hrlr.law.columbia.edu/hrlr-online/third-party-at-the-table-afro-colombian-womens-struggle-for-peace-and-inclusion/#post-1600-footnote-ref-1>; Humanas Colombia, Sisma Mujer, and Red Nacional de Mujeres, "Las Mujeres en los Acuerdos de Paz" (September 2016), 7, <https://www.sismamujer.org/wp-content/uploads/2021/08/Las-mujeres-en-los-acuerdos-de-paz.pdf>; "Colombia (Conflict Tracker)," *Georgetown Institute for Women, Peace and Security*, accessed September 23, 2025, Georgetown Institute for Women, Peace and Security; Ana Gúezmes García et al., *100 Medidas que Incorporan la Perspectiva de Género en el Acuerdo de Paz entre el Gobierno de Colombia y las FARC-EP para Terminar el Conflicto y Construir una Paz Estable y Duradera*, (Bogotá: UN Women, 2017), <https://colombia.unwomen.org/es/biblioteca/publicaciones/2017/05/100-medidas-genero-acuerdos>.

⁶⁰. García et al., *100 Medidas que Incorporan la Perspectiva de Género en el Acuerdo de Paz*; "The Peace Deal that Put Women First," *UN Women*.

⁶¹. KROC Institute, *Towards Implementation of Women's Rights in the Colombian Final Peace Accord: Progress, Opportunities and Challenges* (November 2020), 19, <https://peaceaccords.nd.edu/wp-content/uploads/2020/11/Towards-Implementation-of-Womens-Rights-in-the-Colombian-Final-Peace-Accord-2.pdf>.

⁶². Amnesty International, *Transforming Pain into Rights: Risks, Threats and Attacks on Women Searchers in Colombia*, 13–14, <https://www.amnesty.org/es/wp-content/uploads/2024/12/AMR2387522024ENGLISH.pdf>.

⁶³. Wonchul Shin, "Mama, Keep Walking for Peace and Justice: Gender Violence and Liberian Mothers' Interreligious Peace Movement," *Religions* 11, no. 7 (June 2020): 325–28, <https://www.mdpi.com/2077-1444/11/7/323>.

property law.⁶⁴ In response to ongoing concerns about sexual violence, the United Nations signed and implemented a Joint Programme with the Government of Liberia aimed at helping to address the issue of wide-scale SGBV, including sexual exploitation and abuse cases.⁶⁵ Building on this momentum and responding to sustained advocacy by women's rights actors, the Liberian government initiated a systematic review of legislation that discriminated against women, resulting in the enactment of new laws and the establishment of institutional mechanisms to address these harms. Key achievements included the 2006 Rape Law, which amended discriminatory provisions in chapter 14, sections 14.70 and 14.71 of the Penal Code,⁶⁶ the Domestic Violence Act of 2019, a major legal milestone responding to the prevalence of domestic and other forms of gender-based violence (GBV) against women and children;⁶⁷ the establishment of Criminal Court E in December 2008, with exclusive jurisdiction over sexual offenses;⁶⁸ and the Equal Representation and Participation Act of 2016, which aimed to increase the number of women in political office.⁶⁹ These efforts continued through more recent initiatives, including the Women and Girls Protection Act of 2025, a bill aimed at prohibiting female genital mutilation (FGM), for which sustained advocacy has been led by the National Coalition Against Harmful

Traditional Practices in collaboration with the National Campaigners Against Harmful Practices.⁷⁰ Alongside these legislative changes, the government also created new structures and put in place plans, policies and programmes aimed at promoting gender equality, including the National Gender-based Violence Plan of Action (2006), the National Policy on Girls' Education (2006), the National Rural Women's Program (2008) and consecutive national action plans for the implementation of UN Security Council Resolution 1325 (launched in 2009).⁷¹

While the support of the United Nations and other actors also played a role, the level of advocacy and political pressure from civil society was sufficiently influential in bringing about change.

2. INTERNATIONAL SUPPORT THAT REINFORCES LOCALLY DRIVEN REFORM

The involvement of international actors can assist the legislative reform process by helping to build internal expertise and political will. However, this external involvement is more likely to be beneficial when international actors support and amplify the reach of local advocacy initiatives and programmes rather than creating parallel processes. This collaborative

⁶⁴. Petra Debusscher and Maria Martin De Almagro, "Post-Conflict Women's Movements in Turmoil: The Challenges of Success in Liberia in the 2005-Aftermath," *Journal of Modern African Studies* 54, no. 2 (June 2016): 301, <https://doi.org/10.17863/CAM.39125>; Peace A. Medie, "Fighting Gender-Based Violence: The Women's Movement and the Enforcement of Rape Law in Liberia," *African Affairs* 112, no. 448 (July 2013): 386–96, <https://doi.org/10.1093/afraf/adt040>.

⁶⁵. Government of Liberia and the United Nations, "Fact Sheet: Combating Sexual and Gender Based Violence in Liberia" (February 25, 2024), https://reliefweb.int/sites/reliefweb.int/files/resources/3AE3B27002BF12A24925760C002BCEB4-Full_Report.pdf.

⁶⁶. Committee on the Elimination of Discrimination against Women (CEDAW), Concluding Observations of the Committee on the Sixth Periodic Review of Liberia, CEDAW/C/LBR/CO/6, ¶ 8 (August 7, 2009), <https://digitallibrary.un.org/record/791766?ln=en&v=pdf>.

⁶⁷. Government of Liberia, *Beijing+30 National Review Report: Liberia* (Monrovia: Government of Liberia, 2024), 44–45, https://www.unwomen.org/sites/default/files/2024-09/b30_report_liberia_en_1.pdf.

⁶⁸. Government of Liberia, An Act Establishing Criminal Court "E," *Amending Title 17 of the Revised Code of Laws of Liberia* (2008), http://www.law.berkeley.edu/wp-content/uploads/2015/10/Liberia_Act-Establishing-Court-E.pdf.

⁶⁹. "Signaling a Boost for Gender Equality, Liberia Passes the 'Affirmative Action Bill,'" *UN Women*, October 3, 2016), <https://www.unwomen.org/en/news/stories/2016/10/liberia-passes-the-affirmative-action-bill>.

⁷⁰. Julius Konton, "Liberia at a Crossroads: Female Lawyers Urge Swift Passage of Landmark Anti-FGM Law," *FrontPage Africa Online*, January 28, 2026, <https://frontpageafricaonline.com/gender-issues/liberia-at-a-crossroads-female-lawyers-urge-swift-passage-of-landmark-anti-fgm-law/>. The Liberian government has also introduced new legislation and policies which can be found on the Global Database on Violence against Women (see "Global Database on Violence against Women," *UN Women*, accessed February 5, 2026, <https://data.unwomen.org/evaw/database?vs=4125>).

⁷¹. CEDAW, Concluding Observations of the Committee on the Sixth Periodic Review of Liberia, ¶ 8.

approach, where international support builds upon and strengthens local initiatives, was demonstrated in, for example, Kosovo and Sierra Leone.

2.1. Sierra Leone

Sierra Leone's gender-related legislative reforms exemplify how international support can effectively amplify local advocacy efforts when channelled through existing domestic structures and coalitions. In 2005, the drafting of laws for promoting gender justice began within established domestic institutions – as per the Truth and Reconciliation Commission's 2004 recommendations⁷² – establishing the Parliamentary Human Rights Committee, with funding from UNDP, and the Law Reform Commission, in conjunction with the Ministry of Social Welfare, Gender and Children's Affairs.⁷³

When the bills faced delays, the international actors' response demonstrated the power of coordinated local-international collaboration. Rather than creating separate advocacy channels, international actors joined forces with domestic organizations to form the Taskforce on the Gender Bills, a coalition of local and international non-governmental organizations, and supported local civil society to create the Sierra Leone Court Monitoring Programme, which advocated for the passage of gender bills.⁷⁴ This extensive lobbying and multisectoral collaboration leveraged the

strengths of both local knowledge and international resources, resulting in the adoption of three gender bills: the 2007 Devolution of Estates Act (equal inheritance rights), the 2007 Domestic Violence Act (criminalizing domestic violence as a standalone offence) and the 2009 Recognition of Customary Marriage and Divorce Act (regulating the bride's consent to customary marriage).⁷⁵

The collaborative model continued to prove effective in subsequent reforms, including the adoption of the Sexual Offences Act in 2012, which drew on the recommendations of the Truth and Reconciliation Commission, criminalized rape within marriage and strengthened the legal framework to address sexual violence.⁷⁶ The Gender Equality and Women's Empowerment Bill was passed by Parliament on 15 November 2022, after extensive negotiation and deliberations supported by domestic and international organizations, such as UN Women and UNDP.⁷⁷ This Act regulates "women's access to finance, employment opportunities, equal pay, maternity leave, and—critically—political representation".⁷⁸

2.2. Kosovo (UN Security Council Resolution 1244)⁷⁹

Kosovo's experience demonstrates how international actors can create enabling conditions for gender-sensitive reforms while supporting local capacity-building

⁷². The Truth and Reconciliation Commission recommended standardizing criminal procedures for crimes involving SGBV; addressing the gender bias embedded in most laws on sexual violence, including customary laws; and considering gender considerations in legislation and policy. See Sierra Leone Truth and Reconciliation Commission Report, *Witness to Truth*, vol. 2, chap. 3 (Accra: Sierra Leone Truth and Reconciliation Commission, 2004), 323–346; Sierra Leone Truth and Reconciliation Commission Report, *Witness to Truth*, vol. 3b, chap. 3 (Accra: Sierra Leone Truth and Reconciliation Commission, Sierra Leone 2004), ¶¶ 10, 111, 333, 335, 342, 344, 370–71.

⁷³. Oosterveld, "Sexual and Gender-Based Violence in Post-Conflict Sierra Leone," 131.

⁷⁴. *Ibid.*, 131–132; Commonwealth Foundation, *National Report: Sierra Leone, A Civil Society Review of Progress Towards The Millenium Development Goals In Commonwealth Countries*, (London: Commonwealth Foundation, 2013), 14, https://commonwealthfoundation.com/wp-content/uploads/2013/10/MDG%20Reports%20Sierra_Leone_FINAL_2.pdf.

⁷⁵. Commonwealth Foundation, *National Report: Sierra Leone*, 14; Oosterveld, "Sexual and Gender-Based Violence in Post-Conflict Sierra Leone," 131–133.

⁷⁶. Oosterveld, "Sexual and Gender-Based Violence in Post-Conflict Sierra Leone," 131–134.

⁷⁷. Kingsley Ighobor, "How We are Moving the Gender Agenda Forward in Sierra Leone," *UN Africa Renewal*, March 14, 2023, <https://allafrica.com/stories/202303150103.html>; National Democratic Institute (NDI), "Sierra Leone: A Groundbreaking Gender Equality Bill Passes," *NDI*, February 1, 2023, <https://www.ndi.org/our-stories/sierra-leone-groundbreaking-gender-equality-bill-passes>.

⁷⁸. NDI, "Sierra Leone: A Groundbreaking Gender Equality Bill Passes."

⁷⁹. All references to Kosovo in this report are understood to be under UN Security Council Resolution 1244. S/RES/1244 (June 10, 1999), <https://digitallibrary.un.org/record/274488?ln=en>.

and ownership. For example, UN Women has played a key role in supporting nationally led legislative and policy reforms by providing technical assistance, normative guidance and coordination support to central institutions and women's civil society organizations in Kosovo. International actors, particularly the European Union (EU), strategically conditioned financial and reconstruction support on Kosovo meeting international gender equality standards in the establishment of democratic governance structures.⁸⁰ Rather than imposing solutions on Kosovo, the EU provided incentives and resources, in terms of both humanitarian aid and post-war reconstruction,⁸¹ through programmes like the Pre-Accession Assistance (IPA), which aids reform processes in States that are candidates or potential candidates for EU membership,⁸² such that candidates are on the road towards compliance with European standards of gender equality.⁸³ UN Women complemented these efforts by supporting the localization of international gender equality standards, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Women, Peace and Security agenda, within Kosovo's legal and institutional framework.

This approach enabled Kosovo to develop its own gender equality framework while benefitting from international guidance and standards. Local actors were empowered to create the National Action Plan for the Achievement of Gender Equality in 2004⁸⁴ and implement corresponding legislative and institutional changes. UN Women contributed to this process by strengthening institutional capacities, supporting inclusive and participatory consultations and

facilitating collaboration between central authorities, civil society and international partners. International instruments such as UN Security Council Resolution 1325 (2000) were not used solely as externally imposed requirements, but also as frameworks to guide locally driven institution-building processes that incorporated gender perspectives and mainstreaming in post-conflict reconstruction.⁸⁵ Through its sustained engagement, UN Women helped ensure that these instruments were applied as practical tools to advance national ownership, accountability and gender-responsive governance. This demonstrates how international standards can effectively advance gender equality when they support and enhance local ownership rather than try to replace it.

3. WOMEN'S LEADERSHIP IN POST-CONFLICT RECONSTRUCTION AND GOVERNANCE

Post-conflict situations can create unexpected opportunities for advancing gender equality when traditional power structures are disrupted and societies must rebuild with whoever is available. Armed conflict and mass atrocities such as genocide may create a severe gap in human capital, meaning there is a shortage of skilled, educated and experienced people who typically hold leadership positions in government, business and civil society. This occurs because conflicts often target educated elites, cause mass displacement or result in the death of large portions of the population. While stemming from tragic circumstances, this human capital shortage can create space for previously marginalized groups, particularly women, to assume

⁸⁰. Hilde Katrine Haug, "Gender Equality and Inequality in Kosovo" in *Gender (In)Equality and Gender Politics in Southeastern Europe*, eds. Christine M. Hassenstab and Sabrina P. Ramet (London: Palgrave Macmillan, 2015), 155, https://link.springer.com/chapter/10.1057/9781137449924_8.

⁸¹. Florian Bieber, "Introduction," in *Understanding the War in Kosovo*, eds. Florian Bieber and Židas Daskalovski (London: Frank Cass, 2003), 6, https://api.pageplace.de/preview/DT0400.9781135761554_A24932155/preview-9781135761554_A24932155.pdf.

⁸². Burim Mexhuni, "The Role of the EU in Shaping Kosovo's Political Future: A Critical Analysis," *Cogent Social Sciences* 9, no. 1 (May 2023): 6, <https://doi.org/10.1080/23311886.2023.2209983>; see also Bieber, "Introduction," 6.

⁸³. The right to equality between men and women is a fundamental guarantee codified in Article 23 of the Charter of Fundamental Rights of the European Union, 2012 O.J. (C 326) 391.

⁸⁴. Haug, "Gender Equality and Inequality in Kosovo," 155–58.

⁸⁵. *Ibid.*, 155.

new roles and responsibilities. When women step into these essential rebuilding roles, they can leverage their newfound importance to demand greater political representation and gender-equitable reforms. This was demonstrated in, for example, Rwanda.

3.1. Rwanda

Rwanda's post-genocide reconstruction exemplifies how demographic shifts and human capital gaps can create transformative opportunities for women's political participation and leadership. Following the genocide against the Tutsi, population demographics were dramatically altered, with women estimated to be 70 per cent of the population and head nearly half the households.⁸⁶ Critically, the genocide also resulted in a severe human capital shortage as individuals with formal education and leadership experience were disproportionately targeted, leaving a substantial leadership vacuum.⁸⁷

Faced with this reality, women and women's organizations were compelled to occupy new roles that had previously been unavailable to them, including by heading households and occupying vital social and community roles.⁸⁸ Rather than serving as a temporary response to a crisis, women strategically leveraged their central role in reconstruction and social

cohesion efforts to build legitimacy and influence. Through leadership in social affairs and the strategic use of an inclusive development strategy, women translated accumulated social capital into greater and concrete political gains.⁸⁹ This momentum contributed to the adoption of constitutional and institutional measures, including gender quotas and reserved seats, which facilitated women's consistent entry into decision-making spaces.⁹⁰ These efforts have proven to be remarkably successful and sustainable: more than three decades after the genocide against the Tutsi, Rwanda continues to lead globally in women's representation in parliament,⁹¹ with women comprising 63.75 per cent of the Chamber of Deputies (i.e., the lower house)⁹² and 46.2 per cent in the Senate (i.e., the upper house).⁹³

Increased women's representation in decision-making organs subsequently enabled gender-responsive legislative reform, demonstrating the catalytic role of women's political participation in advancing systemic change. The key contributing factors to legislative reform in Rwanda were driven by coordinated action among women parliamentarians and their allies, complemented by lobbying by civil society, including women's groups.⁹⁴ Pro-Femmes, a national women's umbrella organization, has led the advocacy

⁸⁶. Binaifer Nowrojee, Janet Fleischman, Alison DesForges, "Shattered Lives: Sexual Violence during the Rwandan Genocide and its Aftermath," *Human Rights Watch (HRW)* (September 24, 1996), <https://www.hrw.org/report/1996/09/24/shattered-lives/sexual-violence-during-rwandan-genocide-and-its-aftermath>.

⁸⁷. Damien de Walque and Philip Verwimp, *The Demographic and Socio-Economic Distribution of Excess Mortality during the 1994 Genocide in Rwanda* (World Bank Policy Research Working Paper No. 4850, 2009), 2–3, <https://openknowledge.worldbank.org/server/api/core/bitstreams/8a08d95a-9119-5c73-9f94-1dacd3fc4a16/content>.

⁸⁸. Gretchen Bauer and Hannah Britton, "Women in African Parliaments: A Continental Shift?," in *Women in African Parliaments* (Boulder: Lynne Rienner Publishers, 2006), 12–13, 26; Peace Uwineza and Elizabeth Pearson, *Sustaining Women's Gains in Rwanda: The Influence of Indigenous Culture and Post-Genocide Politics* (December 2009), 14–16, www.inclusivesecurity.org/wp-content/uploads/2012/08/1923_sustaining_womens_gains_nocover.pdf.

⁸⁹. Bauer and Britton, "Women in African Parliaments," 12–13, 26; Timothy Longman, "Rwanda: Achieving Equality or Serving an Authoritarian State?" in *Women in African Parliaments*, eds. Gretchen Bauer and Hanna E. Britton (Boulder: Lynne Rienner Publishers, 2006), 137–9.

⁹⁰. Uwineza and Pearson, *Sustaining Women's Gains in Rwanda*, 6, 14–16; Longman, "Rwanda: Achieving Equality or Serving an Authoritarian State?," 137–9, 141.

⁹¹. "Monthly Ranking of Women in National Parliaments - Ranking of 1st February 2024", *Inter-Parliamentary Union (IPU) Parline*, February 1, 2024, <https://data.ipu.org/women-ranking?month=2&year=2024>.

⁹². "Women Representation," *Parliament of Rwanda*, <https://www.parliament.gov.rw/women-representation>.

⁹³. Ibid.

⁹⁴. Rirhandu Mageza-Barthel, "Asserting Their Presence! Women's Quest for Transitional Justice in Post-Genocide Rwanda," in *Gender in Transitional Justice*, eds. Buckley-Zistel, Susanne & Ruth Stanley (Houndmills, Basingstoke, Hampshire: Palgrave Macmillan, 2012), 174–185; Longman, "Rwanda: Achieving Equality or Serving an Authoritarian State?," 138.

on women's issues and gained concessions from the executive and legislative branches.⁹⁵ This synergy between women's movements and women in political decision-making offices underscores the importance of linking grassroots mobilization with institutional leadership to advance gender transformative change.

Most importantly, Rwandan women's political power has contributed to concrete legislative advances. The Organic Law No. 08 of 1996 on prosecuting crimes of genocide and Law No. 22 of 1999 on matrimonial regimes, liberties and successions were the first laws to establish gender-specific rights for women in Rwanda.⁹⁶ The adoption of these laws laid the groundwork for other legislation aimed at advancing gender-equitable outcomes.⁹⁷ This includes legislation such as Law No. 59 of 2008 on the Prevention and Punishment of Gender-Based Violence and other gender-sensitive legislation supported by institutional accountability mechanisms such as the Gender Monitoring Office.⁹⁸ Collectively, these reforms illustrate how women's leadership, supported by strong women's movements and enabling institutional frameworks, can drive sustainable, rights-based governance outcomes in post-conflict contexts.

4. LEVERAGING CULTURAL NORMS TO ADVANCE GENDER EQUALITY

While cultural norms often create barriers to gender equality, particularly when they reinforce patriarchal values or normalize harmful practices like sexual violence, these same cultural frameworks can be strategically leveraged to advance progressive reforms. The path lies not in abandoning cultural identity, but in reinterpreting and elevating cultural

values that support gender equality while challenging those that perpetuate harm. For instance, the stigmatization or normalization of sexual violence in a particular community can reduce the reporting of SGBV. Entrenched patriarchal norms and traditional or cultural practices can also limit the implementation of and compliance with gender-progressive laws and policies. However, rather than viewing culture as an insurmountable obstacle, successful actors have learned to selectively invoke cultural heritage in ways that legitimize legislative reforms and build broader societal support. This was demonstrated in, for example, Rwanda.

4.1. Rwanda

Rwanda's approach to GBV legislation demonstrates how advocates can skilfully navigate cultural sensitivities while advancing transformative legislative reforms. Women parliamentarians have strategically leveraged local values emphasizing that Rwandan culture does not support violence against women and children to gain support and allies in Parliament for GBV legislation.⁹⁹

This cultural anchoring strategy proved highly effective because it neutralized any opposition by rooting the legal protection of women in cultural heritage,¹⁰⁰ rather than fuelling the perception that such laws are 'radical'¹⁰¹ or 'Western-imposed'.¹⁰² The strategy of using Rwandan cultural values to help pass progressive and gender-sensitive legislation illustrates the constructive use of cultural norms to advance gender justice and how cultural norms can be revived and transformed in ways that lead to safeguards for all members of society. Rwanda has several

⁹⁵. Longman, "Rwanda: Achieving Equality or Serving an Authoritarian State?," 138.

⁹⁶. Mageza-Barthel, "Asserting Their Presence!," 174–185.

⁹⁷. Ibid., 164, 174–185.

⁹⁸. Government of Rwanda, Gender Monitoring Office, "Overview," *About GMO*, accessed February 3, 2026, <https://www.gmo.gov.rw/about-gmo/overview>.

⁹⁹. Uwineza and Pearson, "Sustaining Women's Gains in Rwanda," 13.

¹⁰⁰. Ibid.

¹⁰¹. Ibid.

¹⁰². Ibid., 16.

gender-responsive laws. In 2008, Law 59/2008 on the Prevention and Punishment of Gender-Based Violence, which prevents and punishes all forms of gender-based crimes, was adopted.¹⁰³ Rwanda is currently undertaking a process to amend this law to strengthen the protection of women and girls and prevent emerging forms of GBV. Other examples of gender-responsive legislation include: Law No. 27/2021 governing land, which provides equal rights to land access, ownership and utilization to men and women;¹⁰⁴ the Organic Budget Law No. 12/2013 on gender-responsive budgeting and resource allocation by Parliament;¹⁰⁵ and Law No. 68/2018, which prohibits and criminalizes various forms of GBV in the family and marital relations as well as sexual harassment and other sexual offences;¹⁰⁶ Law No. 059/2023, which strengthened accountability for sexual violence;¹⁰⁷ and Law No. 71/2024, which introduced physical, psychological and emotional violence, economic harm and abusive conduct as grounds for divorce and recognizes unpaid care work.¹⁰⁸ These successive legislative achievements demonstrate the effectiveness of cultural reframing in sustaining reform momentum.

5. INTERSECTIONAL FRAMEWORKS ADDRESSING MULTIPLE AND OVERLAPPING INEQUALITIES

Gender rarely operates as an isolated axis of discrimination. Rather, it intersects with other factors, such as race, ethnicity, religion and sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC), to produce compounded and mutually reinforcing forms of exclusion. Individuals affected

by these overlapping systems of inequality experience intersectional discrimination, in which gender-based disadvantage is intensified by other forms of marginalization, resulting in distinct and often more severe barriers to access, protection, and participation.

Traditional gender equality frameworks frequently fail to capture or respond adequately to these layered realities, as they tend to address discrimination in isolation rather than as an interconnected system. As a result, reforms that do not incorporate an intersectional perspective risk reproducing existing inequalities or leaving the most marginalized groups behind. Effective legislative reform therefore requires coordinated domestic and international support that explicitly recognizes and addresses multiple, intersecting forms of discrimination simultaneously. Implementing interventions through an intersectional lens that accounts for structural inequalities and provides additional, targeted support where needed is essential to ensuring that reforms produce substantive, inclusive outcomes.

This multilayered approach was demonstrated in, for example, Colombia and South Africa.

5.1. Colombia

Colombia's 2016 Peace Agreement illustrates the potential and limitations of adopting an intersectional approach through legislative reform in transitional justice. During the Havana negotiations, Afro-Colombian, Indigenous and LGBTIQ+ communities, despite being disproportionately affected by the armed conflict, were largely excluded from

¹⁰³. Rwanda, Law No. 59/2008 of 10 September 2008 on the Prevention and Punishment of Gender-Based Violence, https://www.amategeko.gov.rw/view/toc/doc/3879/4053?utm_

¹⁰⁴. Rwanda, Law No. 27/2021 of 10 June 2021 Governing Land, <https://www.informea.org/en/content/legislation/law-governing-land-law-no-272021>.

¹⁰⁵. Rwanda, Organic Law No. 12/2013/OL of 12 September 2013 on State Finances and Property, <https://rwandalii.org/akn/rw/act/ol/2013/12/eng@2013-11-05>.

¹⁰⁶. Rwanda, Law No. 68/2018 of 30 August 2018 Determining Offences and Penalties in General, <https://faolex.fao.org/docs/pdf/Rwa187909.pdf>.

¹⁰⁷. Rwanda, Law No. 059/2023 of 4 December 2023 Modifying Law No. 68/2018 of 30 August 2018 Determining Offences and Penalties in General, <https://www.rlrc.gov.rw/index.php?elD=dumpFile&f=87112&t=f&token=ac1d623da10a482e97655ad48472ab6c81e800ce>.

¹⁰⁸. Rwanda, Law No. 71/2024 of 26 June 2024 Governing Persons and Family, https://www.amategeko.gov.rw/view/doc_case/71%252F2024%2520DU%252026%252F06%252F2024.

permanent representation at the negotiating table.¹⁰⁹ Afro-Colombian and Indigenous women faced compounded barriers rooted in the intersection of gender, race, territory and historical exclusion. At the same time, explicit references to sexual orientation and gender identity were framed by some political and social sectors as ‘gender ideology’ and were weakened or removed during the revision of the Agreement. However, sustained advocacy by women’s and LGBTIQ+ organizations ensured that references to the ‘LGBTI population’ remained in the final text, albeit in more general terms. Consequently, because of the aforementioned resistance to including explicit language about sexual orientation and gender identity, the final text reflects only the partial preservation of intersectional recognition within the peace process.¹¹⁰

Sustained advocacy by ethnic organizations and their allies nevertheless resulted in the inclusion of a dedicated Ethnic Chapter in the 2016 Peace Agreement. This chapter recognizes the differentiated impacts of the conflict on Indigenous and Afro-Colombian peoples and affirms their rights to autonomy, territorial protection, cultural integrity and participation in implementation.¹¹¹ While these provisions marked an important normative advance, implementation has lagged behind the commitments set out in the Agreement. The implementation of the Ethnic Chapter has faced structural obstacles, including limited institutional coordination, insufficient resourcing, ongoing violence against ethnic leaders and persistent barriers

to meaningful participation at the territorial level. As a result, the chapter’s transformative potential remains only partially realized.¹¹²

The implementing legislation adopted after 2016 has played a critical role in addressing some of these gaps by embedding intersectionality in the mandates of Colombia’s transitional justice institutions. Laws governing the Truth Commission, the Special Jurisdiction for Peace (JEP) and the Unit for the Search of Missing Persons (UBPD) explicitly require these bodies to apply gender-responsive and intersectional approaches that account for the interaction of gender with ethnicity, race, age, disability, sexual orientation, gender identity and territorial belonging. These obligations translate intersectionality into concrete procedural and programmatic requirements, including differentiated approaches to investigation, participation, and reparations design.¹¹³ For example, the prior consultation on the JEP’s procedural rules prompted coordinated work between its Gender Commission and Ethnic Commission to incorporate a “women, family, and generation-based approach” into the tribunal’s internal procedures.¹¹⁴

Despite these advances, the implementation of gender and ethnic provisions continues to face significant challenges. Progress has been uneven across institutions and territories, and structural inequalities, compounded by ongoing insecurity and limited state presence, continue to constrain access to transitional

¹⁰⁹. Davis, “Third Party at the Table,” 364; Roosbelinda Cárdenas, “The Anti-Racist Horizon in Colombia’s Peace Process”, (Mar. 23, 2017), online: NACLA, <https://perma.cc/3364-HSMC> (15 March 2024).

¹¹⁰. Davis, “Third Party at the Table,” 375.

¹¹¹. *Ibid.*, 369.

¹¹². See Josefina Echavarría et al., *A Call to Action: Third Special Report on the Implementation Status of the Colombian Final Peace Accord’s Ethnic Approach* (Kroc Institute: 2024), <https://doi.org/10.7274/26931988.v1>.

¹¹³. Constitution of Colombia, Constitutional Amendment (Acto Legislativo) No. 01 of 2017, transitory arts. 1(1), 12, <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=80615>; Law No. 1922 of 2018 (Colombia), art. 1, <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=87509>; Unidad de Búsqueda de Personas Dadas por Desaparecidas en el Contexto y en Razón del Conflicto Armado (UBPD), *Lineamientos del Enfoque de Género para las Mujeres y las Niñas en el Proceso de Búsqueda de Personas Dadas por Desaparecidas* (Bogotá: UBPD, December 2023), <https://unidadbusqueda.gov.co/wp-content/uploads/2023/12/Lineamientos-del-enfoque-de-genero-para-las-mujeres-y-las-ninas-en-el-proceso-de-busqueda-de-personas-dadas-por-desaparecidas.pdf>.

¹¹⁴. Jurisdicción Especial para la Paz (JEP), *Protocolo de articulación interjurisdiccional e intercultural* (Bogotá: JEP, 2019), 10–11, <https://www.jep.gov.co/PlanAccion/Protocolo%20de%20articulaci%20interjurisdiccional%20e%20intercultural.pdf>; Jurisdicción Especial para la Paz (JEP), Acuerdo 001 de 2020, art. 109, 72–73, <https://www.jep.gov.co/salaplenajep/Acuerdo%20ASP%20001%20de%202020.pdf>.

justice institutions for Afro-Colombian, Indigenous and LGBTIQ+ communities. Nonetheless, the post-Agreement legislative framework has created binding legal standards that enable civil society and affected communities to demand compliance and hold institutions accountable.

Colombia's experience demonstrates that while intersectionality may be contested at the level of political negotiation, legislative reform can serve, to some extent, as a corrective mechanism by institutionalizing intersectional obligations within transitional justice systems. Even in the face of implementation challenges, these legal mandates provide a crucial foundation for advancing more inclusive, responsive and transformative transitional justice processes.

5.2. South Africa

South Africa's post-apartheid experience also illustrates the potential and limitations of constitutional protections for multiple marginalized groups, particularly LGBTIQ+ people, who face both gender- and sexuality-based discrimination. The 1994 election of President Nelson Mandela signalled a transition to democratic governance and the end of apartheid, creating a unique opportunity to embed intersectional protections in the nation's founding documents.¹¹⁵ South Africa adopted an interim constitution, which prohibited discrimination on the basis of gender and sexual orientation, among other grounds.¹¹⁶ This prohibition was maintained and strengthened in

South Africa's current constitution (through sec. 9(3)), making it the first jurisdiction in the world to provide constitutional protection for LGBTIQ+ people.¹¹⁷

These constitutional foundations enabled progressive legal developments that addressed intersectional discrimination. Jurisprudence such as the Constitutional Court case *National Coalition for Gay and Lesbian Equality and Another v. Minister of Justice and Others* clarified additional legal safeguards, including the legality of consensual intercourse between same-sex persons.¹¹⁸ This case also affirmed the wide application of constitutional guarantees against discrimination based on gender and sexual orientation, which are inclusive of multiple gender identity groups, such as transgender people.¹¹⁹ The constitutional guarantee of non-discrimination¹²⁰ provided a crucial legal foundation that influenced the adoption of subsequent laws and protections.

The Civil Union Act of 2006 enshrines the right to marriage and/or civil partnership for same-sex couples,¹²¹ and various other statutory instruments include additional legislative guarantees for LGBTIQ+ people.¹²² Recognizing that legal protections alone are insufficient, South Africa also created institutional mechanisms to address intersectional challenges. These legislative safeguards are coordinated and implemented through institutions and policy frameworks such as the National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance of 2019. This National Action Plan aims to serve as the basis for developing comprehensive public policies for combatting discrimination and

¹¹⁵. Bauer and Britton, "Women in African Parliaments: A Continental Shift?," 9; "South Africa," *ICTJ*, accessed February 5, 2026, <https://www.ictj.org/where-we-work/south-africa>.

¹¹⁶. Constitution of the Republic of South Africa, 1993 (Interim Constitution), sec. 8.

¹¹⁷. Constitution of the Republic of South Africa, 1996, No. 108 of 1996, sec. 9(3).

¹¹⁸. *National Coalition for Gay and Lesbian Equality v. Minister of Justice*, 1999 (1) SA 6 (CC), ¶ 21.

¹¹⁹. *Ibid.*, ¶¶ 21–27.

¹²⁰. Constitution of South Africa, 1996, sec. 2.

¹²¹. Civil Union Act, 2006, No. 17 of 2006 (South Africa), sec. 1, 2, 8(6).

¹²². For a detailed list of legislative protections for the LGBTIQ+ community in South Africa, see "ILGA Database," *The International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA)*, accessed March 15, 2024, <https://database.ilga.org/south-africa-lgbti>.

intolerance in South Africa,¹²³ and it crucially recognizes the LGBTIQ+ community as a priority group requiring specific protections.¹²⁴ However, South Africa's experience also reveals the persistent challenges facing intersectional advocacy. Despite its expansive legislative and policy framework, violence against the LGBTIQ+ community persists.¹²⁵ Ongoing investment and support are necessary to create social change that ensures LGBTIQ+ people and other minorities realize their constitutional rights to equality and equal protection under the law.

6. POLITICAL WILL TO IMPLEMENT, MONITOR AND ENFORCE LEGISLATIVE REFORM

Political will serves as the critical bridge between legislative intent and real-world impact in advancing gender equality. Without sustained commitment from government leaders, even the most progressive laws can become mere symbolic gestures rather than tools for transformation. Political will manifests not only in the initial passage of laws, but crucially in the allocation of adequate resources, establishment of monitoring mechanisms and commitment to enforce legislation even when it challenges entrenched interests. A State's capacity limitations, including budgetary constraints and a lack of gender expertise, can curb its ability to monitor and evaluate the impact of enacted laws and policies. However, these capacity restrictions often signal deeper problems with political commitment. When insufficient resources are allocated to gender equality-focused programming, including its implementation and monitoring, it reveals whether leaders

truly prioritize gender equality or merely wish to appear progressive. Political will can be built and sustained to prevent bills from being stalled or withdrawn as well as to ensure the effective implementation and enforcement of gender-responsive laws and policies. This was demonstrated in, for example, Sierra Leone.

6.1. Sierra Leone

Sierra Leone's experience demonstrates how sustained political will can overcome seemingly insurmountable obstacles to gender equality legislation while also revealing the ongoing challenges of translating legal victories into practical change. In 2005, the drafting of laws to promote gender justice, as per the Truth and Reconciliation Commission's recommendations, began within the Parliamentary Human Rights Committee.¹²⁶ However, the Bills were stalled and delayed, and this deadlock was overcome through strategic lobbying by civil society and the leadership of key women parliamentarians.¹²⁷ The 'Taskforce on the Gender Bills', a coalition of both local and international non-governmental organizations, successfully lobbied Parliament to adopt three bills advancing women's rights in 2007: the Recognition of Customary Marriage and Divorce Act (regulating the bride's consent to customary marriage), the Devolution of Estates Act (equal inheritance rights) and the 2007 Domestic Violence Act (criminalizing domestic violence as a standalone offence).¹²⁸

Building on these earlier successes, Sierra Leone's most recent legislative achievement demonstrates how political will can be cultivated and sustained over time. In November 2022, Sierra Leone passed

¹²³. Department of Justice & Constitutional Development - Republic of South Africa, *National Action Plan to combat Racism, Racial Discrimination, Xenophobia and Related Intolerance*, (Republic of South Africa, March 2019), ¶ 3, https://www.gov.za/sites/default/files/gcis_document/201903/national-action-plan.pdf.

¹²⁴. *Ibid.*, ¶¶ 4, 8.

¹²⁵. For example, in 2021, 19 persons from the LGBTIQ+ community were murdered, see HRW, "South Africa," in *World Report: Events of 2021* (New York: HRW, 2022), 598, https://www.hrw.org/sites/default/files/media_2022/01/World%20Report%202022%20web%20pdf_0.pdf.

¹²⁶. Oosterveld, "Sexual and Gender-Based Violence in Post-Conflict Sierra Leone," 131.

¹²⁷. *Ibid.*

¹²⁸. Commonwealth Foundation, *National Report: Sierra Leone*, 14; Oosterveld, "Sexual and Gender-Based Violence in Post-Conflict Sierra Leone," 131–133.

the landmark Gender Equality and Women's Empowerment (GEWE) Act after 13 months of deliberations, negotiations and sustained advocacy, with technical and capacity-building support from UN Women.¹²⁹ The success of this legislation required unprecedented political commitment: President Julius Maada Wonie Bio's administration increased the budget for girls' education to 22 per cent, made STEM education free for every girl, brought energy access to many women's markets and increased the budget allocated to decrease maternal mortality from 6 to 11 per cent, all while the Bill was still being debated.¹³⁰ This proactive demonstration of political will helped build public support and showed Parliament what full implementation could achieve.

Importantly, the GEWE Act includes enforcement mechanisms that institutionalize political will beyond individual leaders, such as penalties for ministries, departments, agencies and other public service institutions that do not comply.¹³¹ Implementation and enforcement challenges in Sierra Leone and elsewhere might be rectified using similar strategic lobbying and advocacy combined with strong institutional mechanisms that compel compliance. Ongoing efforts to strengthen the constitutional entrenchment of gender equality norms are one such example.¹³²

7. LEGAL RECOGNITION OF THE STRUCTURAL AND GENDERED LEGACIES OF VIOLENCE

The legacy of violence extends well beyond periods of armed conflict or repression and is embedded in structural, institutional and societal conditions that normalize discrimination and abuse over time. GBV, in

particular, must be understood as part of a continuum linking everyday inequality and discrimination to more extreme forms of harm, all of which are sustained by entrenched power structures and social norms.

Addressing these legacies is central to the transformative ambitions of transitional justice. Guarantees of non-recurrence must confront not only past violations, but also their underlying causes, including discriminatory legal frameworks, unequal access to justice and persistent socioeconomic inequalities. Legislative reform is therefore a critical tool for embedding prevention into law, by dismantling discriminatory norms, strengthening accountability and reshaping institutional practices that have historically failed to protect women and marginalized groups.¹³³

Where legislative reforms do not engage with these deeper legacies of violence, they risk addressing symptoms rather than causes, limiting their impact on lived realities. By contrast, gender-responsive and inclusive legal reforms, designed as part of broader guarantees of non-recurrence, can contribute to long-term social transformation by reducing structural vulnerabilities and preventing the reproduction of violence across generations.

Nepal and Rwanda illustrate how post-conflict societies have sought to address the legacy of violence through legislative and policy reforms aimed at regulating gender relations and tackling gender inequality as a root cause of conflict. While both contexts demonstrate the potential of law to support transformative change, they also highlight the ongoing challenges of translating legal commitments into sustained implementation and structural impact.

¹²⁹ NDI, "Sierra Leone: A Groundbreaking Gender Equality Bill Passes."

¹³⁰ Benita Kayembe et al., *Advancing Gender Equality in Sierra Leone: A Case Study* (Cambridge: Harvard Ministerial Leadership Program, 2023), <https://ministerialleadership.harvard.edu/case-studies/advancing-gender-equality-in-sierra-leone-a-case-study/>.

¹³¹ Sierra Leone, *The Gender Equality and Women's Empowerment Act*, No. 23 of 2022, Part V (2022).

¹³² Hajaratu S. Bangura, "Young Women's Group Pushes for Strong Gender Provisions in New Constitution," *Government of Sierra Leone Ministry of Information and Civic Education*, January 28, 2026, <https://moice.gov.sl/young-womens-group-pushes-for-strong-gender-provisions-in-new-constitution>.

¹³³ Rama Mani, "Dilemmas of Expanding Transitional Justice, or Forging the Nexus between Transitional Justice and Development," *International Journal of Transitional Justice* 2, no. 3 (November 2008): 254–255, <https://doi.org/10.1093/ijtj/ijn030>.

7.1. Nepal

Nepal's social fabric is organized through intersecting hierarchies of caste, ethnicity, class, religion, gender and geography, which together sustain structural inequalities.¹³⁴ These overlapping hierarchies sustained long-standing structural discrimination and were among the underlying drivers of the decade-long internal armed conflict in the country.¹³⁵ The Comprehensive Peace Agreement that officially ended the conflict in 2006, together with the Interim Constitution of 2007, acknowledged these inequities and committed to ending discrimination,¹³⁶ advancing gender equality,¹³⁷ securing economic, social and cultural rights¹³⁸ and initiating land reforms,¹³⁹ all critical foundations of gender-responsive peace.

The Enforced Disappearances Enquiry, Truth and Reconciliation Commission Act, 2014 (TRC Act) subsequently established two transitional justice institutions, the Truth and Reconciliation Commission (TRC) and the Commission on the Investigation of Enforced Disappeared Persons (CIEDP), in 2015 to address conflict-era violations and support reconciliation efforts. However, early transitional justice measures did not sufficiently reflect gendered impacts of the conflict. The initial TRC Act vested broad powers in the Commissions to recommend amnesty for serious human rights violations, contingent on the acknowledgement, regret and apologies of the perpetrator, the

consent or dissent of the victim, and the gravity of the incident, except in cases of rape, which were excluded from amnesty.¹⁴⁰ The initial government's interim relief programme also excluded victims of rape and sexual violence as beneficiaries, creating a gap in redress.¹⁴¹ At the same time, limited initiatives were developed to safeguard any gains made by women during the conflict, such as women's participation, impact upon and leadership in the conflict, despite their relevance in advancing gender equality and preventing further violence.

In the years that followed, Nepal undertook significant constitutional and legal reforms. The 2015 Constitution enshrined the rights to equality, non-discrimination¹⁴² and self-identified gender on the citizenship certificate, the rights of victims of crimes¹⁴³ and guaranteed socioeconomic rights,¹⁴⁴ among others. This was accompanied by a series of legal reforms, including amendments to the National Penal Code 2017, the National Criminal Procedure Code 2017, the National Civil Code 2017, the Civil Procedure Code 2017 and the Act to Amend Some Nepal Acts for Maintaining Gender Equality and Ending Gender-Based Violence 2015 as well as the introduction of new laws, such as the Criminal Offences (Sentencing and Execution) Act 2017 and the Sexual Harassment at the Workplace Elimination Act 2015. The National Penal Code 2017 marked a significant development in Nepali

¹³⁴. Tafadzwa Pasipanodya, "A Deeper Justice: Economic and Social Justice as Transitional Justice in Nepal," *International Journal of Transitional Justice* 2, no. 3 (December 2008): 380, <https://doi.org/10.1093/ijtj/ijn032>.

¹³⁵. Office of the United Nations High Commissioner for Human Rights, *Transitional Justice and Economic, Social and Cultural Rights* (New York and Geneva: United Nations, 2014), 45, <https://www.ohchr.org/sites/default/files/Documents/Publications/HR-PUB-13-05.pdf>.

¹³⁶. Government of Nepal and Communist Party of Nepal, *Comprehensive Peace Accord signed between the Government of Nepal and the Communist Party of Nepal (Maoist)*, (November 22, 2006), point 3.5, <https://peacemaker.un.org/sites/default/files/document/files/2024/05/np061122comprehensive20peace20agreement20between20the20government20and20the20cpn2028maoist29.pdf>.

¹³⁷. Nepal, *Interim Constitution of Nepal*, 2007, art. 13.

¹³⁸. Government of Nepal and Communist Party of Nepal (Maoist), *Comprehensive Peace Accord*, November 22, 2006

¹³⁹. *Ibid.*, point 3.7.

¹⁴⁰. Nepal, *Enforced Disappearances Inquiry, Truth and Reconciliation Commission Act, (TRC Act) 2014* (Third Amendment, 2024), sec. 26.

¹⁴¹. UN Women, *Country Gender Equality Profile: Nepal* (Kathmandu: UN Women, 2023), 111, <https://asiapacific.unwomen.org/sites/default/files/2023-07/np-cgep-nepal-s.pdf>.

¹⁴². Nepal, *Constitution of Nepal*, 2015, art. 18.

¹⁴³. *Ibid.*, art. 21.

¹⁴⁴. *Ibid.*, arts. 31–37.

legislation by criminalizing torture¹⁴⁵ and enforced disappearances¹⁴⁶ and by extending the statute of limitations for rape.¹⁴⁷ These reforms reflect meaningful, though still incomplete, progress in addressing the recommendations put forward by UN bodies through their jurisprudence¹⁴⁸ and periodic reporting on Nepal.¹⁴⁹

The amendment of the TRC Act in 2024 marked another important development for the rights of victims, particularly survivors of sexual violence. The revision recognized the right to reparations of victims of sexual violence,¹⁵⁰ opened avenues for survivors of sexual violence who had previously been unable to register complaints¹⁵¹ and prioritized victims of sexual violence for interim relief.¹⁵² The recent reforms signify an acknowledgement of earlier gaps in the transitional justice process and renewed efforts to support survivor-centred, gender-responsive remedies. Additional reforms in other legislation, such as an expanded legal definition of ‘trafficking’ and criminalization of human smuggling, reflect the government’s efforts to address evolving forms of exploitation that disproportionately affect women and girls.¹⁵³ However, citizenship laws still discriminate against women, making it harder for children of Nepali women to obtain citizenship than it is for children of Nepali men,¹⁵⁴ demonstrating how legal systems can simultaneously advance and undermine women’s rights.

Despite these legal protections, the lived experiences of women and girls demonstrate ongoing challenges in their implementation. Many cases go unreported due to fear, social stigma and weak enforcement mechanisms.¹⁵⁵ Caste hierarchies continue to determine access to justice, economic dependencies trap women in violent situations and geographic isolation prevents many from accessing legal remedies. Further, budgetary and resource constraints limit the implementation and enforcement of legislation.¹⁵⁶ Additionally, disadvantages and inequitable access to socioeconomic opportunities persist for ethnic minorities and caste groups.¹⁵⁷ These dynamics underscore the gap between normative progress and substantive change, reaffirming the need for sustained investment in gender-responsive institutions and efforts to address underlying social norms and structural inequalities.

7.2. Rwanda

In Rwanda, Law No. 59/2008 on the Prevention and Punishment of Gender-Based Violence was adopted in 2008 with the aim of preventing, criminalizing and sanctioning all forms of GBV.¹⁵⁸ Since then, Rwanda has continued to strengthen its legal framework through the adoption of additional legislation

¹⁴⁵. *National Penal Code*, 2017 (Nepal), sec. 167.

¹⁴⁶. *Ibid.*, sec. 206.

¹⁴⁷. *Ibid.*, sec. 229.

¹⁴⁸. Human Rights Committee, *Fulmati Nyaya v. Nepal Government*, CCPR/C/125/D/2556/2015, ¶ 7.9 (March 18, 2019), <https://documents.un.org/access.nsf/get?OpenAgent&DS=CCPR/C/125/D/2556/2015&Lang=E>.

¹⁴⁹. CEDAW, Concluding Observations on the Seventh Periodic Report of Nepal, CEDAW/C/NPL/CO/7, ¶ 27(d) (February 28, 2025), <https://docs.un.org/en/CEDAW/C/NPL/CO/7>.

¹⁵⁰. TRC Act, 2014 (Third Amendment, 2024), sec. 22(a).

¹⁵¹. *Ibid.*, sec. 13(2)(6)(a).

¹⁵². *Ibid.*, sec. 23(1)(b).

¹⁵³. Nepal, *Human Trafficking and Transportation (Control) Act*, 2007, sec. 4(2)(b).

¹⁵⁴. Shivani Mishra, “Equal Laws in Nepal Crucial for Ending Discrimination Against Women,” *HRW*, March 8, 2023, <https://www.hrw.org/news/2023/03/08/equal-laws-nepal-crucial-ending-discrimination-against-women>.

¹⁵⁵. Rachana Shrestha, Diksha Sapkota, Raunak Raj Sarraf, Devika Mehra, Anna Mia Ekström, and Keshab Deuba, “Perceptions on Violence Against Women and Its Impacts on Mental Health and Response Mechanisms Among Community-Based Stakeholders: A Qualitative Study from Nepal,” *BMC Women’s Health* 24, no. 258 (April 2024), <https://doi.org/10.1186/s12905-024-03064-5>.

¹⁵⁶. UN Women, *Country Gender Equality Profile: Nepal*, 8, 14, 155.

¹⁵⁷. *Ibid.*, 8, 24–25.

¹⁵⁸. Rwanda, *Law No. 59/2008 of 10 September 2008 on the Prevention and Punishment of Gender-Based Violence*, <https://faolex.fao.org/docs/pdf/Rwa84377.pdf>.

addressing specific manifestations of GBV, reflecting an ongoing effort to consolidate and expand protections against such harm.

However, deeply entrenched discriminatory social norms continue to undermine the effective implementation of progressive legal, policy and institutional frameworks on gender equality in Rwanda. Harmful gender stereotypes, unequal power relations and rigid expectations around women's and men's roles perpetuate resistance to women's leadership, normalize violence against women and girls, limit women's economic agency and reinforce the disproportionate burden of unpaid care work. These notions have led to the limited enforcement of gender equality laws and the manifestation of persistent gender stereotypes and patriarchal attitudes across multiple spheres, including among family members who discourage women from reporting violence, economic systems that maintain women's financial dependence on potentially abusive partners and cultural expectations that silence female victims of violence to maintain social harmony.¹⁵⁹

The persistence of violence despite strong legal frameworks reveals how gender inequality operates through interconnected systems that extend beyond formal law. According to Rwanda's *Demographic and Health Survey 2019–20*, 37 per cent of women and girls aged 15–49 had experienced physical, sexual or psychological violence, with 46 per cent of ever-married women experiencing spousal violence.¹⁶⁰ While Rwanda has created important institutional innovations, like Isange One Stop Centres that provide comprehensive support to GBV survivors, the persistence of high violence rates

shows that transforming the structural foundations that enable violence requires sustained interventions across all levels of society.¹⁶¹ Women's gains in Rwanda are also uneven and their sustainability is questionable.¹⁶² This demonstrates that entrenched patriarchal norms remain insufficiently addressed, which limits the effectiveness of existing legislation and policies.

8. COMMITMENT TO SUBSTANTIVE EQUALITY THROUGH EFFECTIVE RESOURCE ALLOCATION AND INSTITUTIONAL DESIGN

The most effective legislative reform aims to create substantive equality, not merely formal equality. Substantive equality is a key principle and the standard used in CEDAW.¹⁶³ Substantive equality differs from formal equality because it goes beyond legal safeguards and "inquires into the impact of interventions" to effectively manage their implementation and effect and address any challenges.¹⁶⁴ However, achieving substantive equality requires more than progressive legislation. It demands institutional arrangements that can actively challenge existing power structures and create new norms that permeate all levels of society.

The failure to effectively implement or enforce gender-sensitive legislation and policies perpetuates gender inequality and prevents macro-level legal and policy reforms from translating into meaningful change at the local level. This implementation gap highlights a central challenge of transitional and post-reform contexts: formal legal equality can

¹⁵⁹. "Revisiting Rwanda Five Years after Record-Breaking Parliamentary Elections," *UN Women*, August 13, 2018, <https://www.unwomen.org/en/news/stories/2018/8/feature-rwanda-women-in-parliament>.

¹⁶⁰. Republic of Rwanda, *Rwanda Demographic and Health Survey (2019-20)* (September 2021), 285, <https://dhsprogram.com/pubs/pdf/FR370/FR370.pdf>.

¹⁶¹. "Rwanda's Holistic Approach to Tackling the Different Faces of Gender-Based Violence (GBV)," *United Nations Rwanda*, August 30, 2019, <https://rwanda.un.org/en/15872-rwandas-holistic-approach-tackling-different-faces-gender-based-violence-gbv>.

¹⁶². Doris Buss and Jerusa Ali, "Rwanda: Women's Political Participation in Post-Conflict State-Building," in *The Oxford Handbook of Gender and Conflict*, eds. Fionnuala Ní Aoláin, Naomi Cahn, Dina Francesca Haynes, Nahla Valji (Oxford: Oxford University Press, 2017), 572–575, <https://doi.org/10.1093/oxfordhb/9780199300983.013.45>.

¹⁶³. UN Women, *The CEDAW-based Legal Review: A Brief Guide* (Kyiv: UN Women, 2019), 7–8, <https://eca.unwomen.org/en/digital-library/publications/2019/04/the-cedaw-based-legal-review-a-brief-guide-europe>.

¹⁶⁴. *Ibid.*, 7.

coexist with persistent substantive inequality where institutions lack the capacity, resources or political commitment required to transform entrenched social norms and practices. Across the countries surveyed, legislative reforms have largely established guarantees of formal equality; however, substantive gender equality remains unrealized. Indeed, according to the 2023 Gender Inequality Index, no country has achieved substantive equality yet.¹⁶⁵ Rwanda illustrates this persistent disconnect between formal and substantive equality, underscoring the structural and institutional barriers that continue to impede progress towards transformative gender equality.

8.1. Rwanda

In Rwanda, the gender quota led to an increase in the number of female politicians running for office.¹⁶⁶ More significantly, female politicians have also managed to be elected to positions not exclusively reserved for them under the quota system,¹⁶⁷ suggesting that the quota system helped shift public perceptions about women's political capabilities. In 2024, Rwanda led the world in female representation in the national parliament.¹⁶⁸ Today, women make up 63.75 per cent of the Chamber of Deputies (i.e., the lower house)¹⁶⁹ and 46.2 per cent in the Senate (i.e., the upper house).¹⁷⁰

This dramatic transformation in political representation has enabled concrete policy achievements. Women parliamentarians and their allies have

introduced gender-sensitive legislation, including Rwanda's groundbreaking 2008 Gender-Based Violence Law and subsequent reforms that have positioned Rwanda as a regional leader in gender equality legislation.¹⁷¹ These include the 2020 amendment of the Law Governing Persons and Family – which removed a discriminatory 300-day waiting period imposed on divorced women before they can remarry, thereby granting women and men equal rights to remarry – following technical support from UN Women.¹⁷² This development demonstrates how legislative and policy changes can successfully change the perceptions of society, such as the belief that women cannot be competent leaders. However, patriarchal attitudes in Rwanda have created obstacles that limit the effect of gender equality legislation.¹⁷³ The persistence of patriarchal beliefs and pushback to gender equality initiatives shows that substantive equality remains elusive, even in contexts where formal equality has been significantly advanced. Addressing social norms is therefore critical to closing the gap between policy commitments and lived realities. Efforts must intentionally focus on transforming discriminatory norms by engaging women, men, youth, community leaders and institutions through coordinated, evidence-based approaches that promote positive masculinities, shift power relations and enable the full realization of women's rights, empowerment and equality normative frameworks.

¹⁶⁵. The "GII is a composite metric of gender inequality using three dimensions: reproductive health, empowerment and the labour market. A low GII value indicates low inequality between women and men, and vice-versa". The highest ranked country has a GII value of 0.003, meaning it still has low levels of gender inequality. See "Human Development Reports: Gender Inequality Index (GII)," *UNDP*, accessed December 18, 2025, <https://hdr.undp.org/data-center/thematic-composite-indices/gender-inequality-index#/indicies/GII>.

¹⁶⁶. Bauer and Britton, "Women in African Parliaments: A Continental Shift?," 26.

¹⁶⁷. Uwineza and Pearson, "Sustaining Women's Gains in Rwanda," 20; Longman, "Rwanda: Achieving Equality or Serving an Authoritarian State?," 140–141.

¹⁶⁸. "Rwanda: Senate," *IPU Parline*, accessed February 5, 2026, https://data.ipu.org/node/142/data-on-women?chamber_id=13514.

¹⁶⁹. "Women Representation," *Parliament of Rwanda*.

¹⁷⁰. *Ibid.*

¹⁷¹. Uwineza and Pearson, "Sustaining Women's Gains in Rwanda," 13, 18; Government of Rwanda, "Gender Monitoring Office (GMO)," accessed March 12, 2023, <https://www.gmo.gov.rw/>.

¹⁷². Legal Aid Forum, *Fast Tracking Gender Equality in Law in Rwanda: Comprehensive Legal Analysis of Gender Compliance under Rwandan Law* (Kigali: Legal Aid Forum, 2021), 27, <https://rwanda.un.org/en/138522-fast-tracking-gender-equality-law-rwanda-comprehensive-legal-analysis-gender-compliance>.

¹⁷³. "Revisiting Rwanda Five Years after Record-Breaking Parliamentary Elections," *UN Women*; Buss and Ali, "Rwanda: Women's Political Participation in Post-Conflict State-Building," 572–575.

4

RECOMMENDATIONS

Based on the analysis of 22 country and territory experiences, including the in-depth case studies on Colombia and Nepal, this report finds that legislative reform can serve as an effective transitional justice mechanism when it is deliberately designed to advance gender equality and embedded within broader strategies for truth, accountability, reparations and guarantees of non-repetition. The following recommendations are intended to support Member States, transitional justice institutions and the United Nations system in strengthening the design, implementation and impact of gender-responsive legislative reform in transitional contexts.

1. MEMBER STATES

- **Use transitional periods as strategic opportunities to enact gender-responsive legislative reform.** Member States should take advantage of political openings during transitions to peace or democratic reform to repeal discriminatory laws and adopt legislation that advances gender equality, women's rights and LGBTIQ+ people's rights. Legislative reform should be explicitly framed as part of the transitional justice agenda, contributing to accountability, reparations and guarantees of non-repetition.
- **Demonstrate political commitment through concrete implementation measures.** Political will should be reflected in tangible actions, including the adoption of implementing regulations, allocation of dedicated and sustained budgetary resources, assignment of clear institutional responsibilities, and establishment of enforcement mechanisms to ensure compliance. The formal adoption of laws without corresponding implementation measures risks ensuring formal equality while leaving substantive inequalities intact.
- **Institutionalize monitoring, evaluation and regular review and adjustment of legislation.** Governments should establish mechanisms to regularly assess the effectiveness of

gender-related legislative reforms, identify gaps and unintended consequences and revise laws and policies accordingly. Monitoring frameworks should prioritize outcomes and lived experiences over legislative outputs alone and incorporate feedback from affected communities.

- **Address structural and intersectional drivers of violence and discrimination.** Legislative reforms should move beyond narrow criminalization approaches and address broader legacies of violence, including discriminatory social norms, institutional practices and socioeconomic inequalities. Laws should explicitly incorporate intersectional approaches that recognize compounded discrimination based on gender, race, ethnicity, disability, age, socioeconomic status and sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC).
- **Build institutional capacity for gender-responsive and intersectional implementation.** Member States should invest in sustained capacity-building for judges, prosecutors, police, legislators, public officials and local authorities, including training on gender sensitivity, intersectionality and survivor-centred approaches. Capacity-building efforts should be accompanied by accountability and oversight mechanisms to prevent impunity and ensure the consistent application of the law.
- **Create and protect an enabling environment for civil society engagement.** States should ensure a safe, open and enabling civic space for women's organizations, feminist movements, victims' groups and LGBTIQ+ organizations to participate meaningfully in legislative reform processes. They should do so by protecting human rights defenders, preventing reprisals, guaranteeing freedom of expression and association and institutionalizing transparent and

predictable channels for civil society participation throughout the design, adoption, implementation and monitoring of reforms.

- **Recognize civil society as an implementation and oversight partner.** Beyond consultation, Member States should formally recognize civil society actors as partners in implementation and oversight efforts by including them in monitoring bodies, advisory councils and evaluation mechanisms. Governments should remain responsive to civil society input during implementation, including by revising procedures, reallocating resources and addressing gaps identified through community-based monitoring.

2. TRANSITIONAL JUSTICE INSTITUTIONS

- **Operationalize gender-responsive and intersectional mandates in daily practice.** Transitional justice institutions should translate legal mandates into concrete operational measures, including gender-sensitive rules of procedure, survivor-centred evidentiary standards, protection and referral mechanisms, and accessible participation modalities for diverse victims and affected communities.
- **Ensure safe, meaningful and inclusive participation of victims and survivors.** Institutions should adopt tailored measures to enable the participation of women, girls and LGBTIQ+ people, particularly those facing intersecting forms of marginalization. They should do so by creating safe spaces for engagement; addressing barriers related to stigma, security, disability, language or geography; and recognizing collective as well as individual harms.
- **Strengthen transparency and public reporting on implementation.** Transitional justice bodies should publish regular, accessible and disaggregated reports on the implementation of gender-related mandates and legislative

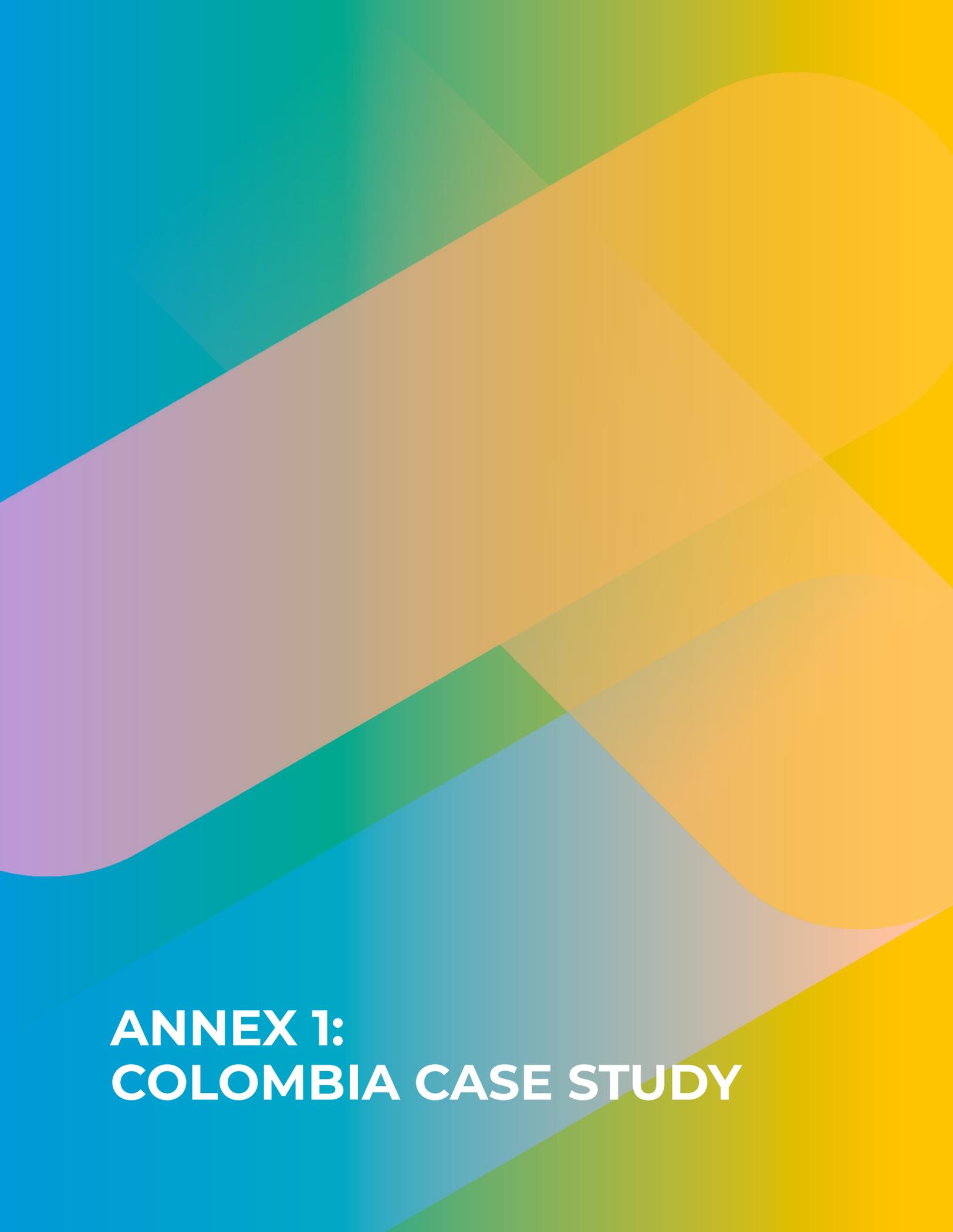
reforms. Data should be disaggregated by sex, age, ethnicity, disability and other relevant characteristics to ensure visibility of differential impacts and gaps.

3. UNITED NATIONS SYSTEM AND INTERNATIONAL PARTNERS

- **Align technical assistance with nationally led gender-responsive reform agendas.** The United Nations and international partners should support legislative reform processes that are locally driven and grounded in the priorities of women's, victims', LGBTIQ+ and marginalized groups' organizations. Assistance should extend beyond drafting legislation to include supporting implementation, building the capacity of institutions, monitoring frameworks supporting and amplifying civil society's advocacy, and providing long-term accompaniment.
- **Support sustained implementation and norm change alongside legal reform.** International support should prioritize long-term investments that address social norms, institutional cultures, and power relations that undermine the implementation of gender-responsive laws. This includes supporting education, public awareness and community-based initiatives that complement legislative change.
- **Strengthen coordination across peacebuilding, human rights and development frameworks.** The United Nations system should ensure coherence between transitional justice support, Women, Peace and Security programming, human rights mechanisms and development assistance, reinforcing legislative reform as a cross-cutting tool for advancing gender equality, accountability and sustainable peace.



From top left, clockwise: UN Women/Pedro Pio - UN Women/Gagan Thapa. Photographs used for illustrative purposes only and not associated with the individuals or organizations referenced in this report.



ANNEX 1: COLOMBIA CASE STUDY

1. OVERVIEW OF THE CONFLICT

Political violence has been present throughout much of Colombia's history, from the colonial conquest to the fight for independence and the numerous civil wars throughout the 19th and first half of the 20th century.¹⁷⁴ The most recent period of fighting, which began in the early 1960s, with numerous groups participating, has been the longest-running armed conflict in the western hemisphere.¹⁷⁵ According to the Colombian Truth Commission's final report, which documented the scale of the violence and was released on 28 June 2022, approximately 450,000 people died due to the armed conflict between 1985 and 2018; 80 per cent were civilian deaths. Approximately 121,768 were forcibly disappeared; over 35,000 suffered conflict-related gender-based violence (GBV), including sexual violence;¹⁷⁶ and over 8 million people were displaced.¹⁷⁷

Land inequality and disputes over land ownership have been widely recognized as a structural root cause of Colombia's armed conflict. The National Center for Historical Memory has documented how highly concentrated land ownership – rooted in colonial patterns of territorial appropriation and reinforced by repeated failures of agrarian reform – generated long-standing social exclusion, rural poverty and

conflict over access to land. These dynamics were intensified during the armed conflict, as guerrilla groups, paramilitary forces and other armed actors used violence, forced displacement and intimidation to control territory and reconfigure land ownership, contributing to large-scale dispossession and the abandonment of rural land.¹⁷⁸

One of the largest guerrilla groups active during the armed conflict, the Revolutionary Armed Forces of Colombia – People's Army (FARC-EP), launched an insurrection in 1964, aiming to represent the rural population's interests and overthrow the government.¹⁷⁹ The FARC-EP was able to operate and control large rural territories through the use of force, not only against the state military and other armed groups, but also against the civilian population. The group perpetrated crimes ranging from kidnapping and extortion to child recruitment and the planting of landmines that killed and maimed civilians.¹⁸⁰ Other leftist guerrilla groups also participated in the conflict, such as the 19th of April Movement (M-19), the Popular Liberation Army (EPL), the Workers Revolutionary Party (PRT), the Quintin Lame Armed Movement (MAQL) and the National Liberation Army (ELN), the last of which is still active. On the other end of the political spectrum, paramilitary groups consolidated

¹⁷⁴. Steven L. Taylor, "Colombia: On the Brink of Peace with the FARC?," *Origins: Current Events in Historical Perspective*, August 2016, https://origins.osu.edu/article/colombia-brink-peace-farc?language_content_entity=en.

¹⁷⁵. ICTJ, *An Overview of Conflict in Colombia* (ICTJ, 2009), <https://www.ictj.org/sites/default/files/ICTJ-Colombia-Conflict-Facts-2009-English.pdf>.

¹⁷⁶. Jurisdicción Especial para la Paz (JEP), "Caso 11: Violencia basada en Género, Sexual y Reproductiva, y Otros Crímenes por Prejuicio Basados en la Orientación Sexual, la Expresión y/o Identidad de Género Diversa," *Macrocasos*, September 5, 2025, <https://www.jep.gov.co/macrocasos/caso11.html>.

¹⁷⁷. Inter-American Commission on Human Rights, "IACHR: Colombian Truth Commission Report Will Support National Reconciliation Process," *Organization of American States*, July 12, 2022, https://www.oas.org/en/iachr/jsForm?File=/en/iachr/media_center/preleas-es/2022/154.asp.

¹⁷⁸. Centro Nacional de Memoria Histórica, *¡Basta ya! Colombia: memorias de guerra y dignidad* (Bogotá: Centro Nacional de Memoria Histórica, 2013), 21-22, <https://centrodehistoriahistorica.gov.co/wp-content/uploads/2021/12/1.-Basta-ya-2021-baja.pdf>; Centro Nacional de Memoria Histórica, *Tierras: balance de la contribución del Centro Nacional de Memoria Histórica al esclarecimiento histórico* (Bogotá: Centro Nacional de Memoria Histórica, 2018), 117-124, <https://centrodehistoriahistorica.gov.co/micrositios/balances-jep/descargas/balance-tierras.pdf>.

¹⁷⁹. M. Crenshaw and K. Robinson, "Revolutionary Armed Forces of Colombia," *Mapping Militant Organizations*, last modified June 1, 2019, <https://cisac.fsi.stanford.edu/mappingmilitants/profiles/revolutionary-armed-forces-colombia-farc>; "Colombia: FARC," *InSight Crime*, November 23, 2023, <https://insightcrime.org/colombia-organized-crime-news/farc-profile/>.

¹⁸⁰. JEP, Sentencia TP-SeRVR-RC-ST No. 001-2025 (September 16, 2025), https://relatoria.jep.gov.co/documentos/providencias/4/2/Sentencia_TP-SeRVR-RC-ST-001-2025_16-septiembre-2025.pdf; JEP, "Caso 07: Reclutamiento y Utilización de Niñas y Niños en el Conflicto Armado," *Macrocasos*, November 12, 2025, <https://www.jep.gov.co/macrocasos/caso07.html>; Comisión para el Esclarecimiento de la Verdad, la Convivencia y la No Repetición (CEV), *Hay Futuro si hay Verdad: Informe Final* (Bogotá: Comisión de la Verdad, 2022), 188-89, <https://www.comisiondelaverdad.co/hallazgos-y-recomendaciones-1>.

into the United Self-Defence Forces of Colombia (AUC), which emerged to counteract guerrilla groups but committed crimes against civilians, including forced displacement, massacres, targeted killings, and sexual violence.¹⁸¹ For their part, the Colombian military forces confronted the aforementioned groups but also committed crimes against the civilian population, most notably, more than 6,000 extrajudicial killings between 2002 and 2008,¹⁸² and in some cases, they acted in collaboration with paramilitary forces.¹⁸³

2. GENDERED IMPACTS OF THE ARMED CONFLICT

Preexisting gender inequalities both shaped and were intensified by exposure to violence and its long-term consequences during the Colombian armed conflict. More than 4 million women were forcibly displaced, comprising 50.1 per cent of the victims of this crime, which pushed many into caring for and economically supporting their families and communities while living in precarious conditions.¹⁸⁴ One of the circumstances that allowed this massive scale of forced displacement, according to the Truth Commission, was women's historical lack of access to formal ownership or documentation over land and housing, making them

more vulnerable to dispossession and weakening their ability to claim restitution and reparations or to recover property after displacement more generally.¹⁸⁵

Women leaders and members of community organizations were particularly targeted by armed groups and often accused of supporting their enemies.¹⁸⁶ Moreover, women in politics or positions of public authority were forced to repeatedly defend their roles since armed groups, and even members of the state forces, expressly disregarded their authority because of their gender.¹⁸⁷ Women in public roles were often victims of threats, kidnappings, and murder, which led many of them to flee their positions.¹⁸⁸

Women and girls comprised the majority of victims of sexual violence during the Colombian armed conflict. This violence included sexual slavery, rape, sexual mutilation and sexual abuse,¹⁸⁹ and it was systematically used to punish perceived enemies, assert control over civilian populations, subjugate communities and claim women as spoils of war.¹⁹⁰ Sexual violence also occurred within armed groups themselves, where hierarchical power structures enabled higher-ranking men to harass and abuse female combatants with impunity. Reproductive violence constituted another systematic dimension of gendered harm, involving forced contraception and abortions imposed on

¹⁸¹. OHCHR, Report of the United Nations High Commissioner for Human Rights on the Human Rights Situation in Colombia, E/CN.4/2001/15 (February 8, 2001), ¶¶ 130–137, <https://reliefweb.int/attachments/07ca0096-e4db-30fe-84f5-2a3a8f9e7e07/22D50AF-666039F99C1256A160042B6D1-unhchr-col-08feb.pdf>; Inter-American Commission on Human Rights (IACHR), Violence and Discrimination against Women in the Armed Conflict in Colombia, OEA/Ser.L/V/II. Doc. 67 (October 18, 2006), ¶¶ 4–6, <https://www.cidh.oas.org/pdf%20files/InformeColombiaMujeres2006eng.pdf>.

¹⁸². JEP, “Caso 03: Asesinatos y Desapariciones Forzadas Presentados Como Bajas en Combate por Agentes del Estado,” *Macrocasos*, December 3, 2025, <https://www.jep.gov.co/macrocasos/caso03.html>.

¹⁸³. JEP, Auto SRVR No. 104-2022, (August 30, 2022), ¶¶ 116–124, https://relatoria.jep.gov.co/documentos/providencias/1/1/Auto-SRVR-104_30-agosto-2022.pdf.

¹⁸⁴. Comisión para el Esclarecimiento de la Verdad (CEV), la Convivencia y la No Repetición, “Mi Cuerpo es la Verdad,” in *Hay Futuro si hay Verdad*, 306, <https://www.comisiondelaverdad.co/mi-cuerpo-es-la-verdad>.

¹⁸⁵. *Ibid.*, 306.

¹⁸⁶. *Ibid.*, 307.

¹⁸⁷. *Ibid.*, 308.

¹⁸⁸. *Ibid.*, 308.

¹⁸⁹. Paula San Pedro, *Sexual Violence in Colombia: Instrument of War*, Oxfam Briefing Paper (September 9, 2009), 11–13, <https://policy-practice.oxfam.org/resources/sexual-violence-in-colombia-instrument-of-war-114593/>.

¹⁹⁰. Centro Nacional de Memoria Histórica (CNMH), *Memoria Histórica con Víctimas de Violencia Sexual* (Bogotá: CNMH, 2018), 37, <http://centrodememoriahistorica.gov.co/wp-content/uploads/2020/02/memoria-historica-con-victimas-de-violencia-sexual.pdf>; San Pedro, *Sexual Violence in Colombia*, 11–13; Roslyn Warren et al., *Inclusive Justice: How Women Shape Transitional Justice in Tunisia and Colombia* (DC: Georgetown Institute for Women, Peace and Security, 2017), 28, <https://giwps.georgetown.edu/wp-content/uploads/2017/08/Transitional-Justice.pdf>.

women combatants and forcibly recruited girls. This form of violence was particularly widespread within the FARC-EP, which maintained a general policy of forced contraception, applied exclusively to women, and routinely coerced women into undergoing abortions and sterilization.¹⁹¹

The armed conflict caused specific and profound harms to peasant, Indigenous and Afro-Colombian women, rooted in their close material, cultural and spiritual relationship with the territory.¹⁹² Land dispossession, forced displacement, confinement and armed control fractured women's livelihoods, community bonds and collective practices of care, production and spirituality.¹⁹³ For Indigenous and Afro-Colombian women in particular, violence against their bodies was intertwined with racism and territorial domination, disrupting ancestral practices, cultural traditions and forms of social organization essential to their community life. These harms extended beyond individual experiences, producing lasting collective damage to social fabrics, cultural continuity and women's autonomy within their communities.¹⁹⁴

People of diverse sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC) suffered violence perpetrated by all armed actors, who consistently regarded them as 'undesirables' and often targeted them as part of what they referred to as 'social cleansing' efforts.¹⁹⁵ Armed groups used threats, forced displacement, sexual violence, homicide and slavery for two purposes: first, to impose and enforce a social and moral order grounded in hetero-cis-normativity and strict regulation of gender and sexuality; and second, to obtain the approval of sectors of the civilian population that shared discriminatory views towards non-normative SOGIESC and thus often welcomed this aspect of the so-called 'social cleansing' efforts.¹⁹⁶

3. TRANSITIONAL JUSTICE PROCESS

Colombia has a long history of peace processes and has employed various transitional justice mechanisms. In 1984, the Colombian government reached its first peace agreement with the FARC-EP, which led to the demobilization of a portion of the group and

FOR INDIGENOUS AND AFRO-COLOMBIAN WOMEN IN PARTICULAR, VIOLENCE AGAINST THEIR BODIES WAS INTERTWINED WITH RACISM AND TERRITORIAL DOMINATION, DISRUPTING ANCESTRAL PRACTICES, CULTURAL TRADITIONS AND FORMS OF SOCIAL ORGANIZATION ESSENTIAL TO THEIR COMMUNITY LIFE.

¹⁹¹. CEV, "Mi cuerpo es la Verdad," 312; San Pedro, *Sexual Violence in Colombia*, 11–13. IACHR, *Violence and Discrimination against Women in the Armed Conflict in Colombia*, ¶ 91.

¹⁹². CEV, "Mi cuerpo es la Verdad," 230–231.

¹⁹³. Ibid.

¹⁹⁴. Ibid.

¹⁹⁵. Ibid., 560; CNMH, *Aniquilar la Diferencia: Lesbianas, Gays, Bisexuales y Personas Trans en el Marco del Conflicto Armado Colombiano* (Bogotá: CNMH, 2015), 26–29, 431–433, <https://centrodememoriahistorica.gov.co/descargas/informes2015/aniquilar-la-diferencia/aniquilar-la-diferencia.pdf>.

¹⁹⁶. CEV, "Mi cuerpo es la Verdad," 560; CNMH, *Aniquilar la Diferencia*, 26–29, 431–433.

the formation of the political party Unión Patriótica.¹⁹⁷ In the early 1990s, other peace accords led to the demobilization of other guerilla groups, including the M-19, EPL, PRT and MAQL, mainly thanks to the government's agreement to initiate a major constitutional reform, which led to the adoption of the 1991 Constitution, still in place.¹⁹⁸

In the early 2000s, an agreement was reached between the government and the AUC, a large umbrella of right-wing paramilitary groups, and more than 35,000 members of those groups were demobilized between 2003 and 2006. In 2005, the Justice and Peace Law (Law No. 975/2005) was enacted, creating a legal framework to prosecute ex-combatants, offering reduced prison sentences in exchange for full confessions.¹⁹⁹ Notably, although not without its limitations, this framework also opened pathways for civil society-led strategic litigation, through which women victims, accompanied by the Alianza Iniciativa de Mujeres Colombianas por la Paz (IMP), secured a landmark criminal conviction of a paramilitary commander for acts of sexual violence.²⁰⁰ In 2011, Congress approved the Victims' Law (Law No. 1448/2011), which established a comprehensive reparations

programme, a framework for land restitution, and the National Center for Historical Memory, a truth-seeking and memorialization mechanism.²⁰¹ In 2014, Colombia established 25 May as the National Day for the Dignity of Women Victims of Sexual Violence in the Context of the Armed Conflict as a symbolic measure of recognition and memorialization.²⁰²

After years of negotiations, the government and the FARC-EP signed a new peace deal in 2016, which created the most comprehensive transitional justice system in the country to date. The agreement comprises six chapters²⁰³ instituting, among others:

- The Truth and Reconciliation Commission;
- Unit for the Search of Missing Persons (UBPD);
- The Special Jurisdiction for Peace (JEP), a criminal tribunal;
- A framework for the demobilization and reincorporation of combatants and their political participation;
- Rural land reform and programmes for the substitution of illicit crops; and
- Other measures for non-repetition.²⁰⁴

¹⁹⁷. This process had many challenges, and 5,733 members of the party were killed or forcibly disappeared between 1984 and 2016. In 2023, the Inter-American Court of Human Rights declared the international responsibility of the State of Colombia for the human rights violations linked to this persecution. See JEP, "Caso 06: Genocidio contra el partido político Unión Patriótica," *Macrocasos*, December 9, 2025, <https://www.jep.gov.co/macrocasos/caso06.html>; IACHR, "Colombia es Responsable por el Exterminio del Partido Político Unión Patriótica," CP-09/2023, January 30, 2023, https://www.corteidh.or.cr/docs/comunicados/cp_09_2023.pdf; Unidad de Implementación del Acuerdo de Paz, "Reseña del Acuerdo," *Portal para la Paz*, accessed February 3, 2026, <https://portalparalapaz.gov.co/resena-del-acuerdo>.

¹⁹⁸. Manuel Quinche Ramírez, *Derecho Constitucional Colombiano: La Carta de 1991 y Sus Reformas* (Bogotá: Editorial Universidad del Rosario, 2008), 50–58.

¹⁹⁹. ICTJ, "Colombia," *Where We Work*, accessed February 3, 2026, <https://www.ictj.org/where-we-work/colombia>.

²⁰⁰. Although the case was initially brought within the Justice and Peace Law's framework, the paramilitary commander was subsequently excluded from it due to his failure to provide full and truthful confessions. The proceedings therefore continued before the ordinary criminal courts, where his conviction for sexual violence was ultimately secured. See Alianza Iniciativa de Mujeres Colombianas por la Paz (IMP), *La Experiencia de Acceso a la Justicia de las Mujeres del Corregimiento de Libertad: La Importancia de Caminar Acompañadas*, Documento Público No. 9 (Bogotá: IMP, 2018), 10, 14–15, https://mujeresporlapaz.org/wp-content/uploads/2023/07/doc_Pub_porta-contrap_2018.pdf.

²⁰¹. Law No. 1448 of 2011 (Colombia), June 10, 2011, <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=43043>.

²⁰². Decree No. 1480 de 2014 (Colombia), June 13, 2014, <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=58874>.

²⁰³. Anna Myriam Roccatello and Gabriel Rojas, *A Mixed Approach to International Crimes The Retributive and Restorative Justice Procedures of Colombia's Special Jurisdiction for Peace*, (ICTJ, 2020), 2, https://www.ictj.org/sites/default/files/ICTJ_Report_Colombia_Mixed_Procedures.pdf.

²⁰⁴. Ted Piccone, *Peace with Justice: The Colombian Experience with Transitional Justice* (DC: Brookings, 2019), 10–11, https://www.brookings.edu/wp-content/uploads/2019/06/FP_20190708_colombia.pdf.

The participation of women and LGBTIQ+ organizations has improved significantly since the first transitional justice process, with each reform cycle creating stronger legislative foundations for inclusion. Women's groups participated in peace negotiations since the early 1980s, when the Colectivo de Mujeres por Bogotá organized commissions to influence the peace process.²⁰⁵ In the 1990s and the beginning of the 2000s, there was a significant mobilization of women's and feminist groups, and the Red Nacional de Mujeres facilitated consultations with women in different regions of the country to gather their views on the matters on the negotiation's agenda.²⁰⁶ The first consultation with LGBTIQ+ groups also took place during this period, when the platform Planeta Paz invited LGBTIQ+ leaders to discuss the peace process.²⁰⁷ Despite this leadership, both women and LGBTIQ+ people were excluded from the peace talks.²⁰⁸ In the first decade of the 2000s, the government took a more militarized approach to the conflict, to the detriment of dialogues with the FARC-EP, leading to limitations on civil society participation. However, this was a catalyst for increased collaboration among women's networks, including through initiatives such as the Cumbre Nacional de Mujeres y Paz, enabling women to independently advocate for peace and consolidate

shared agendas. This was crucial for their active participation during the negotiations that the subsequent government started with the FARC-EP in 2012, leading to the landmark 2016 Peace Agreement.²⁰⁹

The negotiations preceding the 2016 Peace Agreement were guided by extensive public consultations, including regional forums and peace roundtables that brought victims, civil society, women's and LGBTIQ+ organizations and gender experts into the process, supported by a dedicated subcommission on gender issues.²¹⁰ As women demanded and secured specific provisions within the peace accord to safeguard their rights and prevent a return to violence, their role grew unmistakable. By the time the formal agreement was reached in 2016, women made up approximately 20 per cent of the government's negotiation team and 43 per cent of the FARC-EP delegations.²¹¹ Thanks to this substantial presence and public engagement, the 2016 Peace Agreement was celebrated by many feminist and LGBTIQ+ movements as a landmark achievement: the world's first peace accord to fully integrate a gender perspective with over 100 commitments related to gender.²¹²

²⁰⁵. José Alvarado Cobar, "Inclusión Estratégica de la Sociedad Civil: Participación de Mujeres y Grupos LGBTI en el Proceso de Paz en Colombia," *SIPRI Background Paper* (November 2020), 8–9, https://www.sipri.org/sites/default/files/2020-12/bp_2011_inclusion_in_colombia_peace_process_esp.pdf; Nina Chaparro González and Margarita Martínez Osorio, "Negociando Desde los Márgenes: La Participación Política de las Mujeres en los Procesos de Paz en Colombia (1982-2016)," *Ideas Para Construir la Paz* 29 (Dejusticia, 2016), <https://www.dejusticia.org/publication/negociando-desde-los-margenes-la-participacion-politica-de-las-mujeres-en-los-procesos-de-paz-de-colombia-1982-2016/>.

²⁰⁶. Alvarado Cobar, "Inclusión Estratégica de la Sociedad Civil," 9.

²⁰⁷. *Ibid.*

²⁰⁸. Warren et al., *Inclusive Justice*, 29.

²⁰⁹. Cumbre Nacional de Mujeres y Paz, "¿Quiénes Somos?," last modified July 17, 2024, <https://www.cumbrenacionaldemujeresypaz.com.co/sobre-la-cumbre/quienes-somos/>; Alvarado Cobar, "Inclusión Estratégica de la Sociedad Civil," 9.

²¹⁰. "The Peace Deal that Put Women First: What Colombia Taught the World", *UN Women*, July 10 2025, <https://www.unwomen.org/es/noticias/reportaje/2025/07/el-acuerdo-de-paz-que-puso-a-las-mujeres-primero-lo-que-colombia-le-enseno-al-mundo>; Lisa Davis, "Third Party at the Table: Afro-Colombian Women's Struggle for Peace and Inclusion," *Columbia Human Rights Law Review* 4, no. 363 (January 2021): 364, <https://hrilaw.columbia.edu/hril-online/third-party-at-the-table-afro-colombian-womens-struggle-for-peace-and-inclusion/#post-1600-footnote-ref-1>; Humanas Colombia, Sisma Mujer, and Red Nacional de Mujeres, "Las Mujeres en los Acuerdos de Paz" (September 2016), 7, <https://www.sismamujer.org/wp-content/uploads/2021/08/Las-mujeres-en-los-acuerdos-de-paz.pdf>.

²¹¹. "Colombia (Conflict Tracker)," *Georgetown Institute for Women, Peace and Security*, accessed September 23, 2025, Georgetown Institute for Women, Peace and Security.

²¹². Ana Gúezmes García et al., *100 Medidas que Incorporan la Perspectiva de Género en el Acuerdo de Paz entre el Gobierno de Colombia y las FARC-EP para Terminar el Conflicto y Construir una Paz Estable y Duradera*, (Bogotá: UN Women, 2017), <https://colombia.unwomen.org/es/biblioteca/publicaciones/2017/05/100-medidas-genero-acuerdos>; "The Peace Deal that Put Women First: What Colombia Taught the World", *UN Women*.

The implementation of the gender-related provisions of the 2016 Peace Agreement has faced challenges. Nevertheless, the strong foundation established in the

THE STRONG FOUNDATION ESTABLISHED IN THE AGREEMENT, TOGETHER WITH SUBSEQUENT IMPLEMENTING LEGISLATION, HAS EQUIPPED FEMINIST PEACEBUILDERS WITH POWERFUL TOOLS TO CONTINUE ADVOCATING FOR COMPLIANCE AND ACTIVELY PARTICIPATING IN MONITORING AND IMPLEMENTATION EFFORTS.

Agreement, together with subsequent implementing legislation, has equipped feminist peacebuilders with powerful tools to continue advocating for compliance and actively participating in monitoring and implementation efforts.²¹³

These challenges can be seen in the implementation of the Special Transitional Peace Constituencies, a mechanism created under the political participation

chapter of the 2016 Agreement to allocate 16 temporary congressional seats to victims and communities from conflict-affected territories. While the Agreement promotes women's political participation and balanced representation in the bodies created under its framework, only three of these seats were held by women during the 2022–2026 legislative period, reflecting persistent gendered barriers to political representation despite mechanisms specifically designed to increase their inclusion.²¹⁴

The Truth Commission, which completed its mandate, was tasked with clarifying what occurred during the armed conflict; investigating its structural causes, patterns and dynamics; and producing a historical account that would enable Colombian society to understand the evolution and consequences of the violence. Over a period of three years and seven months, and through a network of 28 Houses of Truth located across the country, the Commission gathered testimonies from approximately 30,000 individuals, including victims, witnesses, former combatants and diverse social and political actors. In its final report, the Commission concluded that at least 450,664 people were killed in the context of the conflict, 121,768 suffered enforced disappearance, 16,238 children and adolescents were recruited by armed groups, and 32,446 people experienced sexual violence, among other grave violations.²¹⁵ Notably, the Commission also produced a dedicated volume titled *My Body is the Truth*, which documents the impacts of the conflict on women and LGBTIQ+ people and highlights their significant contributions as human rights defenders and peacebuilders.²¹⁶

The UBPD is a humanitarian mechanism mandated to direct and coordinate the search for persons disappeared in the context of the armed conflict, clarify their

²¹³. Grupo de Trabajo Género en la Paz, *La Paz Avanza con las Mujeres: V Informe de Observaciones sobre los Avances en la Implementación del Enfoque de Género del Acuerdo de Paz* (GPAZ: June 2025), <https://generoy paz.co/informes/2025-V>.

²¹⁴. IPU, "History Made in Colombia with Gains in Diversity Led by Feminist Movements," February 27, 2023, <https://www.ipu.org/news/case-studies/2023-02/history-made-in-colombia-with-gains-in-diversity-led-feminist-movements>.

²¹⁵. CEV, "Cifras de la Comisión de la Verdad Presentadas Junto con el Informe Final," July 2022, <https://web.comisiondelaverdad.co/actualidad/noticias/principales-cifras-comision-de-la-verdad-informe-final>.

²¹⁶. CEV, "Mi cuerpo es la Verdad."

fate and whereabouts and ensure the participation of families. In carrying out this mandate, the UBPD applies a comprehensive gender-sensitive and intersectional approach that incorporates gender considerations across all phases of the search process, guarantees meaningful participation of women and girls, addresses the specific risks and barriers they face, recognizes them as central agents in search efforts and actively engages women's and feminist organizations as key partners in the search for the disappeared.²¹⁷ By late 2024, the institution had recovered over 2,400 bodies, carried out over 400 dignified handovers of human remains to relatives and located 160 people who had been reported missing and were still alive.²¹⁸

Finally, the JEP is the transitional justice tribunal responsible for investigating and prosecuting the gravest and most representative crimes committed during the armed conflict, using a combination of retributive and restorative justice. The JEP began operating in 2018 and has since centred its work on 11 'macro-cases'. Some of these cases examine patterns linked to specific crimes, such as Macro-Case 07 on the recruitment and use of children or Macro-Case 11, which focuses on GBV, including sexual and reproductive violence, and crimes on the grounds of prejudice regarding sexual orientation, gender identity or expression. Others focus on particular regions, such as Macro-Case 04 on the Urabá area, or victimized populations, such as Macro-Case 09 on crimes committed against ethnic peoples and their territories. Across its work, the JEP is mandated to apply an intersectional, gender-responsive approach. At the time of writing, the JEP had issued its first two landmark sentences, marking a significant step towards

accountability, although the implementation phase has only just begun and will require sustained institutional commitment and social support to fully realize its transformative potential.

4. LEGISLATIVE REFORMS ADVANCING GENDER EQUALITY

Over four decades of transitional justice efforts, Colombia has undertaken a wide range of legislative reforms that have gradually but decisively shaped a more gender-responsive legal order. This section presents selected examples of these reforms to illustrate how legislative change has advanced gender equality across multiple spheres, articulated victims' rights in clear and enforceable terms and enhanced the capacity of victims to claim those rights. While some of these measures were explicitly adopted within the framework of transitional justice mechanisms, others emerged from broader constitutional, social and equality-oriented reform processes. Their relevance to transitional justice lies in their function, as these laws address the structural and gendered conditions that shaped patterns of violence, displacement, exclusion and impunity during the armed conflict. By intervening in areas in which preexisting gender inequalities directly enabled conflict-related harm, such as political participation, access to land, freedom from discrimination and violence, and economic autonomy, these reforms have played a critical role in advancing guarantees of non-repetition. Collectively, they have reflected Colombia's growing recognition that sustainable peace requires confronting the underlying systems of gender-based and intersectional inequality that influenced both the dynamics of the conflict and the broader organization of public and private life.

²¹⁷. Unidad de Búsqueda de Personas dadas por Desaparecidas, "Resumen Ejecutivo: Lineamientos del Enfoque de Género para las Mujeres y las Niñas en el Proceso de la Búsqueda de Personas dadas por Desaparecidas," December 2023, <https://unidadbusqueda.gov.co/wp-content/uploads/2023/12/Lineamientos-del-enfoque-de-genero-para-las-mujeres-y-las-ninas-en-el-proceso-de-busqueda-de-personas-dadas-por-desaparecidas.pdf>.

²¹⁸. Unidad de Búsqueda de Personas dadas por Desaparecidas, *Así Avanzamos: Informe de Gestión y Resultados 2024*, (UBPD: Febrero 2025), <https://unidadbusqueda.gov.co/wp-content/uploads/2025/02/Informe-de-Resultados-y-Gestion-2024.pdf>.

BY INTERVENING IN AREAS IN WHICH PREEXISTING GENDER INEQUALITIES DIRECTLY ENABLED CONFLICT-RELATED HARM, SUCH AS POLITICAL PARTICIPATION, ACCESS TO LAND, FREEDOM FROM DISCRIMINATION AND VIOLENCE, AND ECONOMIC AUTONOMY, THESE REFORMS HAVE PLAYED A CRITICAL ROLE IN ADVANCING GUARANTEES OF NON-REPETITION.

4.1. The 1991 Constitution: A foundation for substantive gender equality

The enactment of the 1991 Constitution marked the beginning of Colombia's modern gender-equality agenda and was closely linked to the country's transitional justice process. The Constitution emerged from a participatory drafting process that included demobilized groups, such as the M-19, EPL, PRT and MAQL, as well as political parties, Indigenous leaders and religious representatives. This inclusive process laid the groundwork for a constitutional vision that declared peace to be both a right and a duty and that sought to replace exclusionary norms with a more diverse, pluralistic and democratic social order.²¹⁹

Gender equality became a constitutional imperative. The Constitution affirmed the equal rights of women and men, introduced a strong substantive equality clause, guaranteed women's participation in public administration and strengthened protections during pregnancy.²²⁰ It marked the end of a homogenizing

and exclusionary legal order, aiming to build a more pluralistic, diverse and inclusive society by recognizing and protecting Colombia's rich ethnic and cultural diversity as foundational to the nation.²²¹ Furthermore, the Constitution declared Colombia to be a secular state, replacing the prior model in which Catholicism was the official religion, thus strengthening religious freedom and equality.²²² Finally, the Constitution incorporated an extensive Bill of Rights, paired with robust mechanisms for constitutional protection and judicial enforcement, reflecting a modern vision of citizenship grounded in human dignity, democracy and the rule of law.

By dismantling exclusionary legal norms and embedding substantive equality and enforceable rights at the constitutional level, the 1991 Constitution addressed structural inequalities that had long marginalized women and other groups, thereby laying an essential foundation for guarantees of non-recurrence by reducing the legal and institutional conditions that enabled conflict-related exclusion and violence.

²¹⁹. Constitution of Colombia, 1991, art. 22, <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=4125>.

²²⁰. Warren et al., *Inclusive Justice*, 29.

²²¹. Rodrigo Uprimny Yepes, "La Constitución de la Diversidad," *Dejusticia*, July 6, 2006, <https://www.dejusticia.org/la-constitucion-de-la-diversidad/>.

²²². Ibid.

4.2. Promoting women's participation in political decision-making

Building on this constitutional foundation, Colombia enacted a series of laws to expand women's representation and protect their political rights. The Quota Law (Law 581 of 2000) required that women occupy at least 30 per cent of senior decision-making positions across all branches of public power;²²³ Law 2424 increased the quota to 50 per cent.²²⁴ Extending quota logic into the electoral arena, Law 1475 of 2011 required political parties' candidate lists for multimember bodies to include at least 30 per cent women and introduced measures to cultivate women's leadership through training and financial incentives.²²⁵

More recently, Law 2453 of 2025 addressed the growing problem of violence against women in political and public life. By defining multiple forms of political violence and imposing prevention, protection and sanction duties on state institutions, political parties and social organizations, this law strengthens women's capacity to participate fully and safely in democratic life. Its intersectional approach reinforces the need to remove structural barriers that disproportionately affect women belonging to marginalized communities. This attention to intersecting structural disadvantages is essential to ensuring that the law can be an effective tool to remove the barriers that have hindered the participation of all women.²²⁶

These reforms respond directly to the gendered targeting of women leaders during the armed conflict by strengthening women's political participation and

protection in public life, thereby reducing the risk that political exclusion and gender-based intimidation will re-emerge as tools of violence and control.

4.3. Tackling gender-based and intersectional discrimination

Colombia has also adopted gradual legislative reforms aimed at addressing gender-based and intersectional discrimination, establishing a normative framework to challenge discriminatory structures that reinforce inequality. Law 1257 of 2008 established a comprehensive framework law to prevent, protect, punish and provide reparations for violence against women. The law expanded women's access to justice, public services, education and employment by requiring institutions to adopt gender-sensitive policies and strengthening protections against violence and discrimination. Its adoption was the result of sustained advocacy by women's organizations, the feminist movement and the women's caucus in Congress, and it created a broader normative platform for challenging unequal treatment in both public and private spheres.²²⁷

Building on this foundation, Congress enacted significant reforms to the Penal Code through Law 1482 of 2011 (known as the Anti-discrimination Law). These amendments criminalized discriminatory acts based on sex and sexual orientation as well as race, ethnicity, national origin, culture, religion, political ideology and language. By recognizing that discrimination operates across multiple and overlapping categories, the reform strengthened legal protections for women, LGBTIQ+ people, ethnic minorities and other historically marginalized communities.²²⁸ In 2015, Law 1752 further expanded the Penal Code by

²²³. Law 581 of 2000 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=5367>.

²²⁴. Law 2424 of 2024 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=250896>.

²²⁵. Law 1475 of 2011 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=43332>.

²²⁶. Law 2453 of 2025 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=259640>; see also UN Women, *Violencia Política Contra las Mujeres: Esto Dice la Ley* (Bogotá: UN Women, 2025), 4, <https://colombia.unwomen.org/es/digital-library/publications/2025/10/violencia-contra-las-mujeres-en-politica-esto-dice-la-ley-en-colombia>.

²²⁷. Law 1257 of 2008 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=34054>; see also Colectiva Justicia Mujer, *Análisis de la Ley 1257 de 2008 en sus Diez Años de Implementación* (Bogotá: Colectiva Justicia Mujer, 2018), 3, <https://colectivajusticiamujer.org/producto/analisis-de-la-ley-1257-de-2008-en-sus-diez-anos-de-implementacion/>.

²²⁸. Law 1482 of 2011 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=44932>.

criminalizing discrimination on the basis of disability. This reform addressed a major omission in earlier legislation and reinforced the state's responsibility to protect women and girls with disabilities, who often face heightened vulnerability due to the cumulative effects of gender and disability-based exclusion.²²⁹ Complementary measures were introduced through Law 1618 of 2013, which requires public institutions to eliminate discriminatory barriers to people with disabilities' access to services, employment, education and political participation. The law pays particular attention to the situation of women and girls with disabilities and mandates that public programmes adopt approaches that account for both gender and disability. Taken together, these reforms recognize that gender inequality cannot be separated from the wider landscape of racial, ethnic, cultural, sexual and disability-based discrimination, and they provide the legal tools necessary to address these intersecting forms of oppression.²³⁰

By criminalizing discrimination and requiring intersectional approaches across public institutions, these reforms address the social hierarchies and stigmatization that armed actors exploited during the conflict, particularly against women, LGBTIQ+ people and ethnic minorities. Therefore, these reforms function as guarantees of non-recurrence aimed at dismantling patterns of persecution and so-called 'social cleansing'.

4.4. Strengthening equality in education and the labour market

Colombia has progressively used labour and equality legislation to dismantle the structural barriers that restrict women's access to education, employment and economic autonomy. Law 823 of 2003

on equality of opportunities for women provides an overarching framework in this regard. It requires the state to promote women's full exercise of civil, political, economic, social and cultural rights and remove obstacles that limit their access to work and productive resources. It also obliges the government to adopt measures to prevent discrimination in employment, ensure equal pay for equal work, design training and vocational programmes free from gender stereotypes and support small-sized enterprises led by women or employing mostly women.²³¹

Building on this framework, Congress enacted Law 1496 of 2011, which reforms the Labour Code to guarantee equal pay between women and men and eradicate discrimination in all forms of remuneration in both the public and private sectors.²³² Law 1413 of 2010 further advances substantive equality in the economic sphere by requiring the inclusion of unpaid care work in the national accounts. By recognizing the 'economy of care,' largely sustained by women's unpaid labour, as part of the country's economic system, this law provides an essential tool for designing public policies that address women's disproportionate care burden and its impact on their access to paid work and education.²³³

Recent reforms have also targeted work-family balance and women's participation in emerging sectors of the economy. Law 2114 of 2021 expanded paternity leave and created shared and flexible parental leave, encouraging a more equitable distribution of caregiving responsibilities and supporting more equal employment conditions for women.²³⁴ Law 2117 of 2021 seeks to strengthen and promote women's equality in access to employment and education in sectors where they have historically had low participation by adding targeted measures to existing labour

²²⁹. Law 1752 of 2015 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=61858>.

²³⁰. Law 1618 of 2013 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=52081>.

²³¹. Law 823 of 2003 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=8787>.

²³². Law 1496 of 2011 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=45267>.

²³³. Law 1413 of 2010 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=40764>.

²³⁴. Law 2114 of 2021 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=167967>.

and gender-equality legislation.²³⁵ Complementing these measures, Law 1788 of 2016 guarantees domestic workers the right to service bonuses on equal terms with other employees, thereby extending a key labour benefit to one of the most precarious and feminized workforce sectors.²³⁶

These labour and equality reforms respond to the economic precarity and disproportionate care burdens that shaped women's vulnerability during and after the conflict and displacement by moving beyond formal equality to address the structural conditions that limited women's access to education, paid work and economic autonomy. By targeting unequal pay, unpaid care work, occupational segregation and the historical undervaluation of feminized sectors, these measures confront patterns of dependence and exclusion that were exacerbated by the armed conflict and, in doing so, function as guarantees of non-recurrence by reducing women's exposure to violence and marginalization.

4.5. Tackling violence against women

Colombia's framework for addressing violence against women has developed significantly over the past three decades. Law 294 of 1996 implemented the constitutional duty to protect families by establishing civil measures to prevent and sanction domestic violence, including the removal of the aggressor from the home and restrictions on contact.²³⁷ Law 575 of 2000 strengthened these protections by creating the Comisarías de Familia, local bodies authorized to issue rapid protection orders and coordinate legal, psychosocial and social assistance for survivors.²³⁸ To address persistent gaps in access to timely and adequate protection, Law 2126 of 2021 modernized and standardized the Comisarías as essential public services. It improved staffing and coordination and

required the incorporation of a gender and intersectional approach to ensure that women and other at-risk groups receive effective and timely assistance.²³⁹

In 2015, Law 1761 of 2015 was a reform to the Penal Code that criminalized femicide, creating a specific aggravating circumstance for the crime of homicide when the victim is a woman and the act is committed on the basis of her gender, such as in the context of intimate partner violence, economic or sexual abuse or other forms of gender-based oppression. This landmark legal change elevated the recognition of gender-motivated killings, mandated more severe penalties and signalled a strengthened institutional commitment to investigating, prosecuting and punishing these crimes.²⁴⁰

Given the systematic use of sexual and gender-based violence (SGBV) as a tactic of war, the strengthening of legal protections and survivor-centred responses to violence against women constitutes a core guarantee of non-recurrence by directly targeting one of the conflict's most pervasive and gendered forms of harm.

4.6. Improving women's access to land

Colombia has undertaken important reforms to improve women's access to land, an area where gender inequality has historically been deep and persistent, particularly for rural women who were disproportionately affected by displacement and dispossession during the armed conflict. Law 731 of 2002, known as the Rural Women's Law, created a comprehensive framework to address these disparities. It mandated equal access for rural women to land adjudication, rural credit, technical assistance and productive projects, and it required state institutions to design rural development policies that take women's roles and needs into account. By recognizing rural women as

²³⁵ Law 2117 of 2021 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=168049>.

²³⁶ Law 1788 of 2016 (Colombia), http://www.secretariasenado.gov.co/senado/basedoc/ley_1788_2016.html.

²³⁷ Law 294 of 1996 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=5387>.

²³⁸ Law 575 of 2000 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=5372>.

²³⁹ Law 2126 of 2021 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=168066>.

²⁴⁰ Law 1761 of 2015 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=65337>.

independent rights holders and prioritizing them in land distribution and rural development programmes, the law began to shift an agrarian system that had long operated on assumptions of male household leadership.²⁴¹ The Rural Women's Law was further strengthened in 2025 through Law 2462, which expanded the state's obligations to adopt affirmative measures for rural, peasant and fishing women, particularly in relation to access to land, credit, productive resources and gender-responsive rural development policies.²⁴²

The Victims and Land Restitution Law (Law 1448 of 2011) introduced gender-sensitive mechanisms to facilitate the restitution of land to displaced and dispossessed victims. The law requires authorities to consider the specific vulnerabilities of women, including female heads of household, when reviewing claims and designing protection measures. It also created procedural adjustments intended to reduce evidentiary and administrative barriers that women frequently encountered in restitution processes. These measures were particularly significant since women often lost land during displacement because formal titles were in a man's name or because they lacked documentation to prove possession.²⁴³

This trajectory was strengthened by Law 1900 of 2018, which incorporated gender-equity criteria into the adjudication of vacant public lands, rural housing and productive projects. By prioritizing rural women, especially women heads of household, the law adjusted long-standing allocation rules within the agrarian reform framework and sought to dismantle the structural barriers that had limited women's ability

to acquire land. As a result, the law supports greater economic autonomy for rural women and encourages their fuller participation in rural development initiatives.²⁴⁴

Together, these reforms illustrate a sustained commitment to addressing the structural causes of women's land inequality and ensuring that land-related reparations, development programmes and rural reforms are gender-responsive. Because land dispossession and unequal land tenure were central drivers of displacement and territorial control during the armed conflict, reforms strengthening women's access to land directly address a core conflict dynamic and therefore operate as guarantees of non-recurrence by reducing the structural conditions that enabled mass displacement and rural violence.

4.7. Role of the Constitutional Court in protecting the rights of LGBTIQ+ people

Colombia has strengthened the protection of LGBTIQ+ people's rights primarily through the transformative work of the Constitutional Court rather than legislation explicitly focused on SOGIESC. While statutory reforms have expanded general anti-discrimination protections, it is the court that has led the most significant advances by interpreting constitutional guarantees of equality and human dignity to include LGBTIQ+ people. Through a series of landmark decisions, the court has recognized same-sex unions²⁴⁵ and marriage,²⁴⁶ enabled same-sex couples to adopt,²⁴⁷ affirmed the right of transgender individuals to change

²⁴¹. Law 731 of 2002 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=52105>.

²⁴². Law 2462 of 2025, (Colombia) <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=260656>.

²⁴³. Law 1448 of 2011 (Colombia).

²⁴⁴. Law 1900 of 2018 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=86981>.

²⁴⁵. Corte Constitucional de Colombia, Sentencia C-075/07 (2007), <https://www.corteconstitucional.gov.co/relatoria/2007/c-075-07.htm>.

²⁴⁶. Corte Constitucional de Colombia, Sentencia SU-214/16 (2016), <https://www.corteconstitucional.gov.co/relatoria/2016/su214-16.htm>.

²⁴⁷. Corte Constitucional de Colombia, Sentencia C-683/15 (2015), <https://www.corteconstitucional.gov.co/relatoria/2015/c-683-15.htm>.

their name and gender marker through an administrative process²⁴⁸ and established sexual orientation and gender identity as protected categories under constitutional equality norms.²⁴⁹ This body of jurisprudence has created a strong and coherent framework for protecting LGBTIQ+ people's rights and illustrates how constitutional oversight can complement legislative reform in advancing substantive equality. In transitional justice terms, these decisions address patterns of stigma, exclusion and persecution that armed actors exploited during the conflict by moving beyond formal equality to establish enforceable protections that reshape access to legal identity, family life and equal citizenship, thereby contributing to guarantees of non-recurrence by reducing the conditions that enabled targeted violence and so-called 'social cleansing'.

4.8. Towards a victim-centred and gender-responsive legal system

Building on the broader equality reforms described above, a second cluster of measures has focused more directly on transitional justice and the rights of victims. In this field, women's and victims' organizations have been central actors. Over decades, they have documented abuses, lobbied Congress, engaged in strategic litigation and used international frameworks to press for a more victim-centred and gender-responsive legal order. International actors, including UN agencies, bilateral donors and regional human rights bodies, have reinforced these efforts by providing resources and technical assistance and applying normative pressure.²⁵⁰

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The dynamics around the Justice and Peace Law²⁵¹ offer an early illustration of the impactful role of civil society in making the law more victim-centred and gender-responsive. The law was widely criticized for prioritizing the demobilization of paramilitary groups over victims' rights. Consequently, many women's and human rights organizations were initially ambivalent about engaging with it since doing so risked legitimizing a controversial demobilization policy. Others chose to work with the law in order to transform it from within and to give visibility to the scale and gendered nature

²⁴⁸. Corte Constitucional de Colombia, Sentencia T-063/15 (2015), <https://www.corteconstitucional.gov.co/relatoria/2015/t-063-15.htm>; Corte Constitucional de Colombia, Sentencia T-675/17 (2017), <https://www.corteconstitucional.gov.co/relatoria/2017/t-675-17.htm>.

²⁴⁹. Corte Constitucional de Colombia, Sentencia C-098/96 (1996), <https://www.corteconstitucional.gov.co/relatoria/1996/c-098-96.htm>.

²⁵⁰. See Warren et al., *Inclusive Justice*, 29; Alina Rocha Menocal, "Women's Participation and Influence in Transitions from Conflict: The Case of Colombia," ODI Country Study (London: ODI, 2022), 22, https://odi.org/documents/8156/WPS_Colombia_case_study_FINAL_FCDO_v2_SUffojL.pdf.

²⁵¹. Law 975 of 2005 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=17161>.

of the violence.²⁵² Both approaches helped push the public agenda towards a stronger focus on victims' participation, truth and reparations. This contestation contributed to subsequent adjustments, including Constitutional Court interventions that expanded the space for victims' voices and strengthened reparations duties.²⁵³

Civil society's influence became even more visible with the adoption of the Victims and Land Restitution Law. Research shows that gender activists and women's organizations did not merely accompany this process but successfully contributed to shaping the content of the law.²⁵⁴ They lobbied congressional representatives, proposed concrete language and pressed for provisions that would reflect women's experiences of conflict and displacement. As a result, the law broadened the definition of 'victim' to include those harmed by state agents, improved procedures for cases of sexual violence and introduced specific rules on land restitution for women, including priority for women heads of household.²⁵⁵ The law also establishes comprehensive protection measures for victims, witnesses and public officials participating in land restitution and other reparations processes while explicitly recognizing the distinct risks women face. It requires an intersectional approach that ensures women can continue exercising social, political and community leadership, including the crucial work of women human rights defenders.²⁵⁶ Finally, the law sought to translate formal rights into effective access by mandating a territorially decentralized system of attention, focused on Regional Centres for Victims that operate as 'one-stop shops,' bringing together

multiple institutions to reduce administrative barriers and enable victims to access the law's benefits in a coordinated and accessible manner.²⁵⁷

The trajectory towards a more victim-centred framework continued with reforms aimed at families of the disappeared. Law 1531 of 2012, which created a legal mechanism allowing families to obtain formal recognition of an enforced disappearance without having to declare the person dead,²⁵⁸ emerged from sustained advocacy by organizations of relatives of the disappeared and was supported by international actors such as the United Nations and the International Committee of the Red Cross.²⁵⁹ The law allows families to protect their economic and family rights, including access to their loved one's salaries and social benefits, without having to declare a death. This has been especially significant in contexts like Colombia where most searchers are women, who often face severe economic and social insecurity while leading long-term efforts to find disappeared relatives. Importantly, the Constitutional Court later broadened the law's scope by affirming that the notion of 'family' includes same-sex partners, strengthening equal protection for diverse families affected by disappearances.²⁶⁰

Further advancing this trajectory of gender justice reforms, Colombia adopted Law 1719 of 2014 to strengthen access to justice for survivors of conflict-related sexual violence (CRSV). The law requires judicial authorities to apply a gender-sensitive approach; broadens the definition of 'sexual violence' to include acts such as forced prostitution, forced sterilization

²⁵². Menocal, "Women's Participation and Influence in Transitions from Conflict," 22.

²⁵³. *Ibid.*, 22.

²⁵⁴. *Ibid.*, 23.

²⁵⁵. *Ibid.*

²⁵⁶. Law 1448 of 2011 (Colombia).

²⁵⁷. *Ibid.*

²⁵⁸. Law 1531 of 2012 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=47577>.

²⁵⁹. OHCHR, "Ley de Ausencia es un Importante Avance para Víctimas de Desaparición Forzada y Sus Familiares: Oficina de la ONU para los Derechos Humanos," June 6, 2012, <https://www.hchr.org.co/comunicados/ley-de-ausencia-es-un-importante-avance-para-victimas-de-desaparicion-forzada-y-sus-familiares-oficina-de-la-onu-para-los-derechos-humanos/>.

²⁶⁰. Corte Constitucional de Colombia, Sentencia C-120/13 (2013), <https://www.corteconstitucional.gov.co/relatoria/2013/c-120-13.htm>.

and forced pregnancy or abortion; and affirms that these crimes can constitute crimes against humanity, which carry no statute of limitations. It also guarantees a survivor-centred response by mandating the state to provide free medical and psychosocial support.²⁶¹ Yet again, civil society played a decisive role in consolidating and enforcing these gains. When Law 1719 made the application of the health protocol for survivors of sexual violence effectively optional, a coalition of women's and human rights organizations brought a constitutional challenge.²⁶² In Decision C-754 of 2015, the Constitutional Court agreed with the petitioners, making the health protocol mandatory and obliging providers to guarantee comprehensive, immediate, free and confidential services, including sexual and reproductive healthcare.²⁶³ This sequence shows how legislative reform, combined with strategic litigation and international human rights standards, has been used to deepen protections for survivors of sexual violence.

These examples illustrate how Colombia's evolving legal framework has become increasingly gender-responsive and victim-centred, thereby laying the groundwork for the 2016 Peace Agreement to advance even more transformative reforms. Women's organizations drew on decades of organizing and the Women, Peace and Security agenda to press for a cross-cutting gender perspective throughout the negotiations, an effort that international donors and UN actors helped sustain through technical support.²⁶⁴

The laws enacted to implement the 2016 Peace Agreement mandate that the JEP apply an intersectional, gender-responsive approach to the investigation of conflict-related crimes and adopt a survivor-centred methodology throughout its proceedings.²⁶⁵ These implementing laws also introduced a paradigm shift in Colombia's criminal justice system by incorporating restorative justice principles for crimes committed during the conflict, including the possibility of non-custodial sanctions that contain both restorative and retributive elements. Under this framework, defendants who admit responsibility at an early stage and make full and truthful contributions to clarifying the facts may receive sanctions of 5 to 8 years of reparative work rather than prison sentences.²⁶⁶ Importantly, the law governing the procedure of the JEP provides that, in cases involving gender-based violence (GBV), the tribunal must order reparative activities for sentenced individuals that "re-dignify activities socially assigned to women and dismantle machismo-based biases and stereotypes, including caregiving work, such as cleaning and public space maintenance, combined with participation in training programmes on women's rights and gender-based violence and discrimination".²⁶⁷

The involvement of international actors advocating for legislative reform, when aligned with domestic mobilization, has played a pivotal role in advancing gender-responsive legislative reform in Colombia. Long-term support from donors and UN agencies has helped women's and victims' organizations build the capacity needed to organize, document abuses

²⁶¹. Law 1719 of 2014 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=57716>.

²⁶². Rebecca Reingold, "An Obligation to Meet the Health Needs of Sexual Violence Survivors in Colombia, O'Neill Institute," *Georgetown Law*, December 24, 2015, <https://oneill.law.georgetown.edu/5257-2/>.

²⁶³. "Constitutional Court Reaffirms Right to Health of Sexual Assault Survivors, Including Abortion," *Dejusticia*, December 17, 2015, <https://www.dejusticia.org/en/constitutional-court-reaffirms-right-to-health-of-sexual-assault-survivors-including-abortion/>.

²⁶⁴. See Virginia M. Bouvier, *Gender and the Role of Women in Colombia's Peace Process* (New York: UN Women, 2017), 10–12, <https://www.unwomen.org/en/digital-library/publications/2017/2/gender-and-the-role-of-women-in-colombias-peace-process>; Claudia González, "The Status of the Women, Peace and Security Agenda in Colombia and Progress Toward a 1325 National Action Plan, 2023," *Our Secure Future*, December 18, 2023, <https://oursecurefuture.org/our-secure-future/news/status-women-peace-and-security-agenda-colombia-and-progress-toward-1325>; Warren et al., "Inclusive Justice," 42.

²⁶⁵. Constitution of Colombia, Constitutional Amendment (Acto Legislativo) No. 01 of 2017, transitory arts. 1(1), 12; Law 1922 of 2018 (Colombia), art. 1.

²⁶⁶. Law 1957 of 2019 (Colombia), arts. 126, 141.

²⁶⁷. Law 1922 of 2018 (Colombia), art. 65.

and influence both peace negotiations and legislative debates. This dynamic is evident in the passage of Law 2358 of 2024, which created the Fondo No es Hora de Callar (No Time to Keep Quiet Fund) for women journalists facing violence.²⁶⁸ The fund's creation reflects the convergence of several enabling conditions. It was first mandated by the Inter-American Court of Human Rights as a reparations measure in the case of Jineth Bedoya Lima, a journalist and survivor of CRSV whose long-standing advocacy, carried out in close partnership with civil society organizations, amplified the impact of the court's ruling and helped keep national attention on the issue. The Colombian government signalled political will by allocating annual resources to establish the fund while UN Women provided continuous technical and logistical support throughout its design. These forces demonstrate how survivor advocacy, civil society leadership, international rulings and institutional support can combine to generate meaningful and lasting legislative change.²⁶⁹

Recent legislation strengthening the rights of women searchers confirms the same pattern. Law 2364 of 2024, which recognizes and protects the rights of women and other persons who search for forcibly disappeared victims, responds to years of organizing and advocacy by relatives' organizations. Many of these are led by women, such as Yanette Bautista, founder of the Fundación Nydia Erika Bautista, whose advocacy emerged from her search for her sister following her enforced disappearance.²⁷⁰ Supported by continued civil society mobilization and international engagement, including by UN Women, the law – if

fully implemented – has the potential to address the historical neglect of women searchers and strengthen guarantees of truth, justice and non-repetition.²⁷¹

Taken together, these developments show that Colombia's most significant advances towards a victim-centred and gender-responsive legal system have not been the product of legislation alone. They have emerged from the interaction of several reinforcing factors: persistent mobilization by women's and victims' organizations, strategic litigation before domestic and regional courts and sustained international support that has amplified local demands. By addressing legacies of conflict-related violence, confronting structural discrimination and insisting on substantive rather than merely formal equality, these reforms have helped to more firmly embed gender justice within Colombia's transitional justice framework and its broader pursuit of reconciliation and sustainable peace.

4.9. Remaining gaps and ongoing advocacy

Although Colombia has made substantial progress towards a gender-responsive legal system, important gaps remain. A review conducted by UN Women in 2025 found that 12 additional legislative reforms are needed to fully align the Colombian legal framework with international standards on gender equality. Continued advocacy by civil society organizations and ongoing support from international partners will be essential to maintaining momentum and ensuring that Colombia continues progressing. For a detailed discussion of these findings, see UN Women's report *Legislative Actions to Transform Women's Lives*.

²⁶⁸. Law 2358 of 2024 (Colombia), http://www.secretariassenado.gov.co/senado/basedoc/ley_2358_2024.html.

²⁶⁹. "ONU Mujeres Acompañó la Presentación del Fondo No es Hora de Callar para Periodistas," *UN Women*, September 9, 2024, <https://colombia.unwomen.org/es/stories/noticia/2024/09/onu-mujeres-acompano-la-presentacion-del-fondo-no-es-hora-de-callar-para-periodistas>.

²⁷⁰. Amnesty International, *Transforming Pain into Rights: Risks, Threats and Attacks on Women Searchers in Colombia*, 13–14, <https://www.amnesty.org/es/wp-content/uploads/2024/12/AMR2387522024ENGLISH.pdf>.

²⁷¹. "Colombia: Luego de un Año, las Mujeres Buscadoras de Víctimas de Desaparición Forzada Esperan que el País les Cumpla," *Amnesty International*, June 18, 2025, <https://www.amnesty.org/es/latest/press-release/2025/06/colombia-mujeres-buscadoras-esperan-que-el-pais-les-cumpla/>.

BY ADDRESSING LEGACIES OF CONFLICT-RELATED VIOLENCE, CONFRONTING STRUCTURAL DISCRIMINATION AND INSISTING ON SUBSTANTIVE RATHER THAN MERELY FORMAL EQUALITY, THESE REFORMS HAVE HELPED TO MORE FIRMLY EMBED GENDER JUSTICE WITHIN COLOMBIA'S TRANSITIONAL JUSTICE FRAMEWORK.

5. FROM LEGISLATIVE REFORM TO LIVED OUTCOMES: INSTITUTIONAL CHANGE AND THE CURRENT STATUS OF WOMEN, GIRLS AND LGBTIQ+ PEOPLE

The gradual shift towards a gender-responsive legal framework in Colombia has translated into broader institutional change across government bodies responsible for conflict-related policies, reparations, justice and social protection. Key institutions, including the Victims Unit, the Ministry of Justice, the Ombudsman's Office and the Office of the Attorney General, now systematically incorporate gender and intersectional perspectives into their mandates and programming.²⁷² This has enabled the development of more targeted and responsive initiatives, such as specialized services for survivors of CRSV, affirmative measures to ensure women's leadership in reparations committees and the extension of collective reparations to women's and LGBTIQ+ organizations. These

institutional practices reflect how legislative reform has moved beyond symbolic commitments to reshape policy implementation on the ground.²⁷³

Progress is also evident in political participation. In 2019, Colombia achieved gender parity in its national cabinet for the first time,²⁷⁴ and by 2023, women occupied approximately 48.6 per cent of director-level positions in the public sector.²⁷⁵ These gains reflect the cumulative impact of constitutional guarantees, quota laws and more recent legislation addressing violence against women in politics. However, this progress was not sustained in subsequent years,²⁷⁶ underscoring the need for stronger enforcement mechanisms and continued monitoring to ensure that formal equality translates into substantive and durable representation.

Education provides another clear example of positive change. According to the National Higher Education Information System (SNIES), women's participation in higher education increased from 51.5 per cent of enrolled students in 2010 to 53.1 per cent in 2023,

²⁷². Warren et al., "Inclusive Justice," 33.

²⁷³. Ibid., 34.

²⁷⁴. "Committee on the Elimination of Discrimination against Women Examines the Situation of Women's Rights in Colombia," *OHCHR*, February 19, 2019, <https://www.ohchr.org/en/press-releases/2019/02/committee-elimination-discrimination-against-women-examines-situation-womens>.

²⁷⁵. Función Pública, *Informe sobre la Participación Efectiva de la Mujer en los Cargos de Niveles Decisorios en el Estado Colombiano* (Bogotá: Colombia Potencia de la Vida, December 2023) 6, https://www1.funcionpublica.gov.co/documentos/418537/53329354/2023-12-27_Informe_ley_de_cuotas_2023.pdf/8c8bb2e3-ed7a-7f13-01b8-338caabfc580?t=1703820360096.

²⁷⁶. See Tribunal Administrativo de Cundinamarca, Sentencia de Primera Instancia del 12 de febrero de 2026, Exp. 25000-23-41-000-2025-01277-00, 91-94; Procuraduría General de la Nación, "Procuraduría urge fortalecer participación de mujeres en cargos directivos del sector público", Procuraduría General de la Nación, <https://www.procuraduria.gov.co/Pages/procuraduria-urge-fortalecer-participacion-mujeres-cargos-directivos-sector-publico.aspx>.

with women now constituting the majority of university students and graduates. Women also outperform men in graduation rates and have lower dropout rates across all levels of higher education. Nonetheless, structural inequalities persist, particularly in rural women's access to higher education and in women's lower rates of immediate transition from secondary to tertiary education, underscoring the continued relevance of targeted policies to address territorial and socioeconomic disparities.²⁷⁷

Within the transitional justice system, Colombia has made notable progress in addressing the gendered impacts of the armed conflict. The JEP is investigating a dedicated macro-case on gender-based violence (GBV), encompassing sexual violence, reproductive violence and crimes motivated by bias on the grounds of sexual orientation, gender identity or expression. Although this case is still at an early stage, more than 3,000 victims have expressed interest in participating and over 630 have been formally accredited,²⁷⁸ including male survivors of sexual violence.²⁷⁹ Despite time constraints linked to the tribunal's mandate and the fact that this was the last case to be opened, this case reflects a significant shift towards recognizing gender-based crimes as central, rather than peripheral, to the conflict.

Beyond this dedicated case, the JEP has integrated an intersectional and gender-sensitive approach across its broader caseload. In its first final judgment

on hostage-taking and severe deprivations of liberty, the tribunal explicitly recognized sexual violence as a war crime, documented reproductive harms and acknowledged how gender stereotypes shaped the forced labour imposed on kidnapped women.²⁸⁰ In its Urabá macro-case, the JEP ordered an interjurisdictional hearing with Indigenous authorities to address SGBV against Indigenous women, finding that ordinary procedural tools were inadequate to capture harms at the intersection of gender, ethnicity and territory. By requiring culturally appropriate and safe spaces for women survivors, the tribunal transformed intersectionality into a binding procedural obligation that reshaped evidence-gathering and participation.²⁸¹ In its macro-case on child recruitment, the JEP acknowledged the reproductive violence inflicted on a mother whose son was recruited due to bias against her for being transgender.²⁸² In its Nariño macro-case, the JEP charged former combatants with gender persecution against LGBTIQ+ people, many of whom were Indigenous or Afro-Colombian, as a crime against humanity.²⁸³ Together, these decisions demonstrate how gender-responsive legislation has enabled judicial bodies to produce concrete legal findings that reflect the lived realities of diverse victims.

Reparations outcomes further illustrate this progress. To date, more than 4 million women have received individual reparations,²⁸⁴ while many others have benefitted from collective measures. Women's organizations such as Women Walking for the Truth in

²⁷⁷. Ministerio de Educación, "Las Mujeres Siguen Ganando Terreno en la Educación Superior en Colombia," *Government of Colombia*, March 10, 2025, <https://www.mineducacion.gov.co/portal/salaprensa/Comunicados/423751-Las-mujeres-siguen-ganando-terreno-en-la-educacion-superior-en-Colombia>.

²⁷⁸. JEP, "Caso 11."

²⁷⁹. JEP, "La JEP Reconoce a 104 Hombres como Víctimas de Violencia Sexual Durante el Conflicto Armado," *Sala de Prensa: Comunicado 137*, September 2, 2025, <https://www.jep.gov.co/Sala-de-Prensa/Paginas/la-jep-reconoce-a-104-hombres-como-victimas-de-violencia-sexual-durante-el-conflicto-armado.aspx>.

²⁸⁰. JEP, Sentencia TP-SeRVR-RC-ST No. 001-2025 (Sept. 16, 2025), https://relatoria.jep.gov.co/documentos/providencias/4/2/Sentencia-TP-SeRVR-RC-ST-001-2025_16-septiembre-2025.pdf.

²⁸¹. JEP, Auto SRVNH-04/00-261 (Oct. 20 2023, <https://www.jep.gov.co/Notificaciones/ESTADO%20No.%201260.2023%20SRVR%20CASO%2004%20SRVNH-0400-261.pdf>).

²⁸². Lauren Franco, "La Histórica Acreditación como Víctima de una Mujer Trans y su Hijo en la JEP," *Voces Francas*, February 28, 2025, <https://vocesfrancas.com/la-historica-acreditacion-como-victima-de-una-mujer-trans-y-su-hijo-en-la-jep/>.

²⁸³. Outright International, "Colombia's Peace Tribunal Breaks New Ground on LGBTQ Persecution," *Insights*, October 2, 2023, <https://outrightinternational.org/insights/colombias-peace-tribunal-breaks-new-ground-lgbtq-persecution>.

²⁸⁴. Unidad para las Víctimas, "Registro Único de Víctimas," *Datos para la Paz*, accessed February 3, 2026, <https://datospaz.unidadvictimas.gov.co/registro-unico-de-victimas/>.

Medellín, comprising more than 180 women searching for disappeared relatives, have received collective reparations, including psychosocial support. In addition, four LGBTIQ+ organizations have been accredited as beneficiaries of multidimensional collective reparations. These examples show how legal recognition of collective harm, combined with affirmative policies, has expanded access to reparations beyond individual compensation.²⁸⁵

Despite these advances, significant challenges remain. GBV continues at alarming levels, with 1,584 femicides reported in 2024,²⁸⁶ and ongoing armed conflict in parts of the country exacerbates risks of displacement and GBV.²⁸⁷ Economic inequalities persist, as women and LGBTIQ+ people face disadvantages in employment, income, access to social security, financial services and property ownership, even as women achieve higher levels of education.²⁸⁸ Horizontal and vertical labour market segregation remains pronounced,²⁸⁹ and discrimination against LGBTIQ+ people continues to limit access to education and work.²⁹⁰ These challenges are intensified for Afro-descendant, Indigenous, rural, older and disabled women and LGBTIQ+ people, reflecting the cumulative effects of intersecting forms of discrimination. Political participation also remains constrained by violence: During the 2023 local elections, more than three quarters of women candidates experienced

political violence, disproportionately affecting Afro-descendant, lesbian, disabled, older and highly educated women and undermining their electoral prospects.²⁹¹

However, despite these persistent challenges, the breadth and depth of Colombia's legislative reforms have clearly expanded the space for change and enabled gradual but sustained improvement towards a more gender-equal and peaceful society. The reforms reviewed in this section demonstrate concrete progress in narrowing educational and labour gaps, strengthening women's participation in political life and decision-making, securing equal family rights for people of diverse sexual orientation and gender identity and, crucially, recognizing the specific harms caused by the armed conflict and the ways in which pre-existing gender inequalities shaped and intensified those harms.

Taken together, these developments point to a legal system that is evolving in parallel with Colombia's broader transition: from a conflict-ridden and exclusionary society, where women and LGBTIQ+ people were largely confined to the private sphere and exposed to high levels of GBV, towards a context in which peacebuilding initiatives are increasingly rooted

²⁸⁵. "Sujetos de Reparación Colectiva," *Caribe Afirmativo*, November 5, 2023, <https://www.caribeamfirmativo.lgbt/sujetos-de-reparacion-colectiva/>.

²⁸⁶. Observatorio de Femicidios Colombia, "Reportes," *Republicanas Populares*, accessed February 3, 2026, <https://observatoriofemicidioscolombia.org/index.php/reportes>.

²⁸⁷. *Análisis de Situación de las Mujeres Víctimas de Desplazamiento Forzado de la Subregión del Catatumbo (Norte de Santander), Febrero 2025* (Colombia: Espacio de Coordinación Nacional de Violencia Basada en Género, February 2025), <https://reliefweb.int/report/colombia/analisis-de-situacion-de-las-mujeres-victimas-de-desplazamiento-forzado-de-la-subregion-del-catatumbo-norte-de-santander-febrero-2025>.

²⁸⁸. UN Women and Departamento Administrativo Nacional de Estadísticas & Consejería Presidencial para la Equidad de la Mujer, *Mujeres y Hombres: Brechas de Género en Colombia* (Bogotá: UN Women, 2022), 53, <https://colombia.unwomen.org/es/digital-library/publications/2022/11/mujeres-y-hombres-brechas-de-genero-2022>; Cindy Bello, Kellea Miller, and Irene Schneeweis, *Colombia LGBTI: Resumen de las Condiciones Políticas, Económicas y Sociales* (Astraea Fundación Lésbica para la Justicia, 2015), 8, https://global-philanthropyproject.org/wp-content/uploads/2017/01/Astraea-Colombia-Resumen-2015_Spanish.pdf.

²⁸⁹. UN Women, *Mujeres y Hombres*, 53.

²⁹⁰. Ángela Sabogal Camargo and David Alonzo, coords., *Diagnóstico y Recomendaciones para la Inclusión Laboral de los Sectores LGBTI* (Bogotá: Secretaría Distrital de Planeación, 2022), 37–77, https://www.sdp.gov.co/sites/default/files/diagnostico_recomendaciones_inclusion_laboral_sectores_sociales_lgbti.pdf.

²⁹¹. UN Women, *3000 Voces por la Democracia: Experiencias de Candidatas en Colombia para Erradicar la Violencia Contra las Mujeres en Política* (Bogotá: UN Women, 2025), 20, <https://colombia.unwomen.org/es/digital-library/publications/2025/10/estudio-de-violencia-contra-mujeres-en-politica>.

in local territories and women and LGBTIQ+ people play visible and active roles in advocacy, reconciliation, reparations and political life.

Colombia's experience demonstrates that sustained legislative reform can generate meaningful progress when supported by three main reinforcing factors.

First, a strong and organized civil society, particularly women's, feminist, victims' and LGBTIQ+ organizations, has been essential to keeping gender equality on the public agenda over successive reform cycles. These actors have not only documented abuses and articulated demands, but also translated lived experiences into concrete legal proposals, mobilized constituencies across territories and used strategic litigation and public monitoring to defend gains once adopted. This sustained advocacy has helped reduce the gap between law on the books and law in action: It has pressured institutions to issue implementing protocols, allocate resources, improve access routes for victims and respond to the risks faced by women leaders, survivors and LGBTIQ+ people in both conflict and post-accord settings.

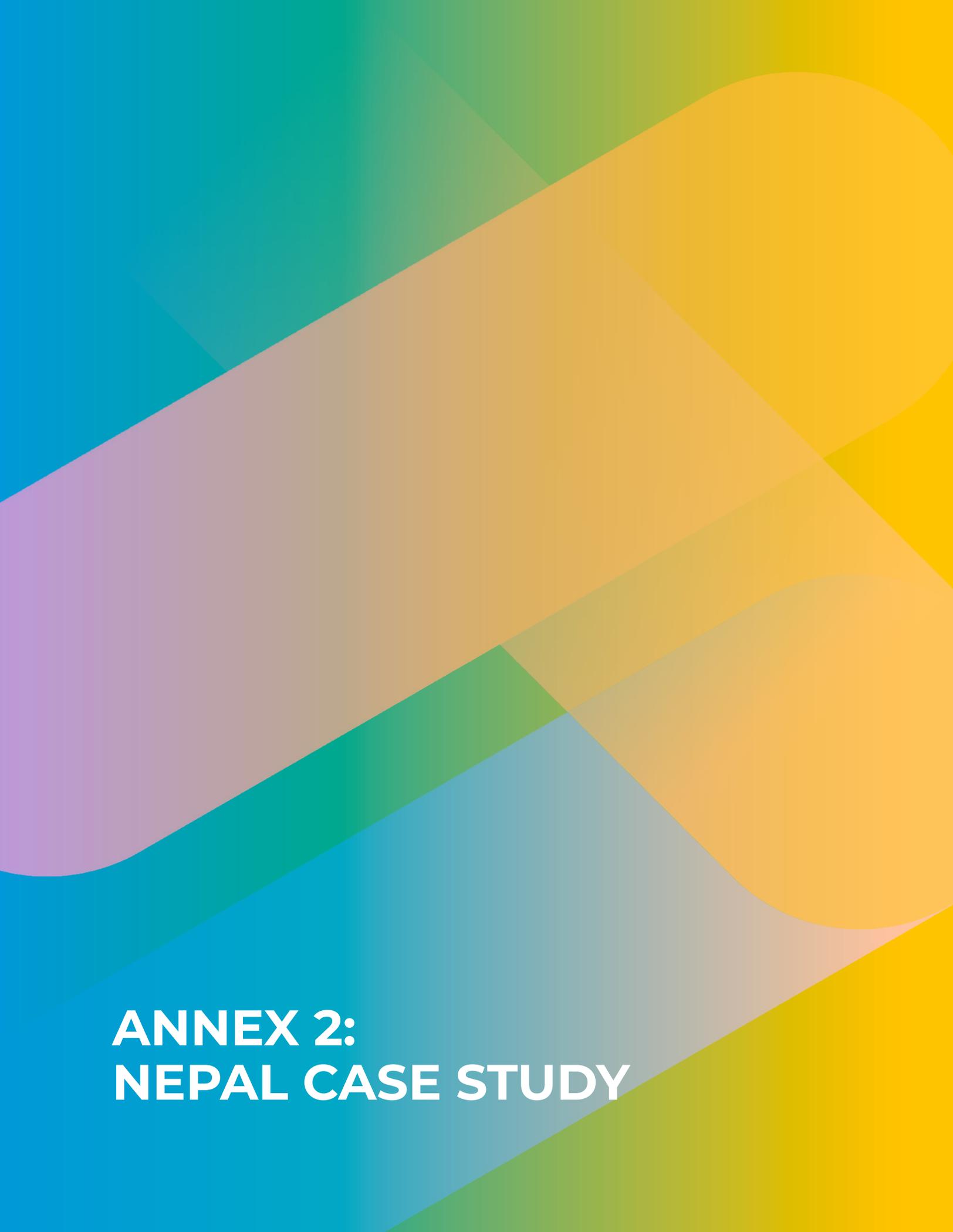
Second, the explicit embrace of intersectionality has made reforms more accurate in diagnosis and more effective in implementation. Rather than treating 'women' or 'LGBTIQ+ people' as homogeneous categories, Colombia's gender-equality trajectory increasingly recognizes that the barriers faced by an Indigenous woman searcher, an Afro-descendant women candidate, a rural adolescent or a transgender survivor are mutually reinforcing. This framing has practical consequences, as it justifies differentiated outreach, tailored protection and participation measures, culturally appropriate procedures, and collective approaches where harm is experienced at the community level. In transitional justice, this intersectional lens is particularly important because conflict-related harms often map onto long-standing inequalities in land ownership, political voice, access to services and exposure

to violence. Therefore, reforms that ignore these layers risk reproducing exclusion within reparations, truth-seeking and accountability mechanisms.

Third, Colombia's reforms have been grounded in substantive equality, an approach that does not stop at declaring equal rights but seeks to dismantle structural barriers through enforceable tools. This is evident in the design of quotas, affirmative action measures, institutional mandates, territorially decentralized implementation, and procedural adaptations that alter how public power is exercised and how rights can be claimed. Substantive equality also helps explain why progress appears not only in participation and access indicators, but also in the architecture of transitional justice itself: gender-sensitive evidentiary rules, survivor-centred protocols, decentralized and context-responsive institutional outreach, and restorative sanctions oriented towards transforming discriminatory norms all reflect an understanding that neutrality in unequal conditions entrenches inequality. By embedding concrete duties and accountability pathways, reforms are better positioned to produce durable change beyond individual administrations.

Overall, the Colombian case illustrates how gender equality gains in conflict-affected settings are neither linear nor automatic but can be consolidated through deliberate legal design and sustained political engagement. The progress documented in this section suggests that when legislative reforms are anchored in substantive equality, informed by intersectional analysis and continuously driven by organized civil society, they can reshape institutions, expand access to justice and reparations and gradually alter power relations that have long excluded women and LGBTIQ+ people. While implementation gaps and backlash remain significant risks, Colombia's experience demonstrates that gender-responsive legislative reform, particularly when embedded in transitional justice and peacebuilding frameworks, can create durable pathways towards inclusion, accountability and more equitable participation in post-conflict governance.

WHEN LEGISLATIVE REFORMS ARE ANCHORED IN SUBSTANTIVE EQUALITY, INFORMED BY INTERSECTIONAL ANALYSIS AND CONTINUOUSLY DRIVEN BY ORGANIZED CIVIL SOCIETY, THEY CAN RESHAPE INSTITUTIONS, EXPAND ACCESS TO JUSTICE AND REPARATIONS AND GRADUALLY ALTER POWER RELATIONS THAT HAVE LONG EXCLUDED WOMEN AND LGBTIQ+ PEOPLE.



ANNEX 2: NEPAL CASE STUDY

Nepal offers a valuable case study to better understand how legal trajectories can evolve towards gender-responsive legislation in response to the demands of the victims and survivors, albeit through a slow and uneven process. While certain legal amendments directly addressed transitional justice mechanisms, others emerged across broader legal domains affecting women, girls and LGBTIQ+ people. Although further reforms remain necessary, particularly within transitional justice laws, the effective implementation of existing legislation through strengthened institutions and increased public awareness holds significant potential. Such implementation can advance transitional justice objectives and foster a broader cultural shift towards equality for women, girls and people of diverse sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC). Nepal's experience thus underscores both the progress achieved and the critical work still needed to ensure the meaningful enforcement of laws and policies related to transitional justice and gender equality.

The Nepal case study also illustrates the interconnected nature of legal reform processes and the ways in which developments across different areas of law can intersect and influence one another. Several legislative advancements that emerged outside the formal transitional justice framework nonetheless provide important precedents for future transitional justice reforms, particularly in relation to the recognition and inclusion of LGBTIQ+ people. At the same time, transitional justice processes have expanded and reinforced other legal domains, such as the recognition of reparations as a form of redress for victims and survivors

of human rights violations. This reciprocal relationship underscores the importance of an integrated and gender-responsive approach to legislative reform in which progress in one area of law can catalyse advances in others, strengthening accountability, access to justice and substantive gender equality.

1. OVERVIEW OF THE CONFLICT

Nepal has a high level of caste, ethnic, linguistic, cultural and religious diversity.²⁹² Despite being home to more than 125 ethnic and linguistic groups, beginning in the 1700s, Nepal has historically functioned as a highly centralized Hindu monarchy that privileges dominant caste and ethnic groups while systematically marginalizing others from political power, economic opportunity and social recognition. These patterns of exclusion were reinforced through state structures and law, producing intersecting inequalities based on gender, caste, ethnicity and geography. In 1854, Prime Minister Jung Bahadur Rana formalized a strict caste system and institutionalized religious, patriarchal and caste-based hierarchies through the introduction of law via the *Muluki Ain* (General Code)²⁹³. Although caste-based discrimination was officially outlawed in 1963 and specific laws against discrimination in the public and private sphere were enacted in 2011,²⁹⁴ these systems of marginalization remain entrenched in Nepali society.²⁹⁵

In the late 1980s, high levels of social stratification and simmering political tensions led to a wave of political upheaval that forced the King to restore a multiparty system and constitutional monarchy.²⁹⁶ In 1996, the

²⁹². Government of Nepal, National Statistics Office, *National Population and Housing Census 2021* (Kathmandu: National Statistics Office, 2022).

²⁹³. Rajan Khatiwoda, Simon Cubelic, and Axel Michaels, eds., *The Mulukī Ain of 1854: Nepal's First Legal Code, Introduced, Translated, and Annotated*, forewords by Patrick Olivelle and Saubhagya Pradhananga (Heidelberg: Heidelberg University Publishing, 2021), xix–882.

²⁹⁴. *Caste-based Discrimination and Untouchability (Crime and Punishment) Act*, 2011, Nepal.

²⁹⁵. Amnesty International, *No One Cares: Descent-Based Discrimination Against Dalits in Nepal* (London: Amnesty International, May 10, 2024), 5, <https://www.amnesty.org/en/documents/asa31/7980/2024/en/>.

²⁹⁶. The Asia Foundation, *The State of Violence and Conflict in Asia–Nepal* (San Francisco: The Asia Foundation, October 2017), 118, <https://asiafoundation.org/wp-content/uploads/2017/10/Nepal-StateofConflictandViolence.pdf>.

Communist Party of Nepal (Maoist)²⁹⁷ submitted a list of 40 demands to the Government of Nepal, including dissolution of the monarchy, greater civic and democratic freedoms, secularization and a wide range of economic reforms.²⁹⁸ When these demands were not met, the Maoists launched a military insurgency.²⁹⁹ At the heart of this conflict was long-standing discrimination against women, Dalits, Janajatis, Madhesis, minorities and populations living in geographically remote areas that created deep structural inequalities resulting in systemic exclusion and unequal access to power.

Over the next decade, violations of international humanitarian law and human rights were committed by both the Maoist fighters and the government.³⁰⁰ Documented cases of unlawful killing, arbitrary detention, torture, enforced disappearance and sexual violence were perpetrated on a mass scale by both state and non-state forces.³⁰¹ Additionally, hundreds of thousands of Nepalis were displaced from their homes, civil society was repressed in the name of national security, and vital services, such as education and healthcare, were disrupted.³⁰²

The government cracked down on civil society, including by implementing the 2001 Terrorist and Disruptive Activities (Control and Punishment) Act (TADA).³⁰³ The TADA labelled the Communist Party of Nepal (Maoist) as a terrorist organization and gave the government sweeping powers to similarly classify anyone who conspired to commit or committed 'disruptive acts'.³⁰⁴ In 2005, King Gyanendra dismissed the government and assumed direct power as an absolute monarch,³⁰⁵ declared a state of emergency and cut off private and foreign communications.³⁰⁶ This erosion of the rule of law and civic space further entrenched patterns of exclusion and grievances, emphasizing the relationship between repression, conflict escalation and mass violations. This deterioration in the rule of law was coupled with an even greater crackdown on civil society,³⁰⁷ and the rapid decline in human rights and civil liberties created a wave of anger towards the government. By April 2006, protests brought tens of thousands of Nepalis of diverse backgrounds into the streets and King Gyanendra was forced to resign.³⁰⁸

Immediately upon the King's resignation, the Maoists implemented a unilateral three-month ceasefire, followed closely by the government's reciprocation of the ceasefire in May 2006.³⁰⁹ Government and Maoist negotiators signed the Comprehensive Peace Accord

²⁹⁷. HRW, *Between a Rock and a Hard Place: Civilians Struggle to Survive in Nepal's Civil War* (New York: Human Rights Watch, October 7, 2004), 10, <https://www.hrw.org/sites/default/files/reports/nepal1004.pdf>; OHCHR, *The Nepal Conflict Report* (Geneva: Office of the High Commissioner for Human Rights, 2012), 15, https://www.ohchr.org/sites/default/files/Documents/Countries/NP/OHCHR_Nepal_Conflict_Report2012.pdf.

²⁹⁸. Ibid.

²⁹⁹. Ibid.

³⁰⁰. Ibid.

³⁰¹. Ibid.

³⁰². Ibid.

³⁰³. UN Codification Division, *Book 24: National Laws and Regulations on the Prevention and Suppression of International Terrorism, II:56–58. M–Z, LXXIX. Nepal* (New York: UN Codification Division Publications, 2005).

³⁰⁴. HRW, *Between a Rock and a Hard Place: Civilians Struggle to Survive in Nepal's Civil War*, 2004, 13.

³⁰⁵. UN Human Rights Office of the High Commissioner, "High Commissioner for Human Rights Expresses Concern Over Developments in Nepal," press release, February 1, 2005, <https://www.ohchr.org/en/press-releases/2009/10/high-commissioner-human-rights-expresses-concern-over-developments-nepal>.

³⁰⁶. Reporters Without Borders, "Nepal: King Imposes State of Emergency and Cuts Communications with Outside World," *ReliefWeb*, February 1, 2005, <https://reliefweb.int/report/nepal/nepal-king-imposes-state-emergency-and-cuts-communications-outside-world>.

³⁰⁷. Asian Human Rights Commission, "Nepal under Royal Regime – One Year of Dictatorial Rule Deepening the National Crisis," *ReliefWeb*, February 1, 2006, <https://reliefweb.int/report/nepal/nepal-under-royal-regime-one-year-dictatorial-rule-deepening-national-crisis>.

³⁰⁸. UN OHCHR, *The Nepal Conflict Report*, 29.

³⁰⁹. Ibid., 52.

(CPA) in November 2006.³¹⁰ Under the terms of the CPA, both parties agreed to a permanent ceasefire and the implementation of transitional justice mechanisms.³¹¹ The government severed all ties to the monarchy and committed to a wide range of political and human rights promises.³¹² Following the CPA, Nepal underwent a profound political and constitutional transformation, transitioning from a centralized Hindu monarchy to a secular, republican state with a strong emphasis on federalism and decentralization. This restructuring created new political space for advocacy and mobilization by groups organized around gender, caste, ethnicity, region and language, reflecting a broader post-conflict shift towards addressing historical exclusion through constitutional reform, representation and rights-based frameworks.³¹³

This shift laid important groundwork for identity-based advocacy movements and demands for inclusion within transitional justice and peacebuilding processes, although some movements, including LGBTIQ+ advocacy, emerged more prominently only in the post-conflict period.

After the formal armed conflict ended, low-level conflict continued in many regions.³¹⁴ The armed conflict has had lasting effects. Although the peace accords were concluded in 2006, Nepal continues to experience political unrest and has struggled with justice and impunity for conflict-related crimes.³¹⁵

2. GENDERED IMPACTS OF THE ARMED CONFLICT

Nepal's armed conflict had a distinct and disproportionate impact on women, girls³¹⁶ and marginalized communities.³¹⁷ Both state security forces and Maoists combatants perpetrated physical, verbal and sexual violence against women and girls during the conflict.³¹⁸ Security forces specifically targeted women and girls, as well as their family members, on suspicion of association with or support for Maoists.³¹⁹ These individuals were subjected to arbitrary arrests, assaults and mistreatment, including torture and, in some cases, killings.³²⁰ The severity and frequency of violations varied. In some cases, girls and women were repeatedly raped or gang raped by security forces as 'punishment,'³²¹ including while in captivity,³²² and others were sexually assaulted or raped during search

³¹⁰. Ibid.

³¹¹. Ibid., 29.

³¹². *Government of Nepal and Communist Party of Nepal, Comprehensive Peace Accord signed between the Government of Nepal and the Communist Party of Nepal (Maoist)*, (November 22, 2006), point 3.5, <https://peacemaker.un.org/sites/default/files/document/files/2024/05/np061122comprehensive20peace20agreement20between20the20government20and20the20cpn2028maoist29.pdf>.

³¹³. See Binod Dhakal, "People's Movement II: The Catalyst Behind Nepal's Democratic Revolution," *Nepal News*, April 24, 2025, <https://english.nepalnews.com/s/explainers/peoples-movement-ii-the-catalyst-behind-nepals-democratic-revolution/?utm>.

³¹⁴. The Asia Foundation, *The State of Violence and Conflict in Asia–Nepal*, 119.

³¹⁵. HRW, *Nepal: Impunity Reigns, Fueling New Rights Violations 16 Years Since Conflict Ended, No Accountability for Wartime or Ongoing Abuses*, January 12, 2023, <https://www.hrw.org/news/2023/01/12/nepal-impunity-reigns-fueling-new-rights-violations>.

³¹⁶. UN OHCHR, *The Nepal Conflict Report*, 22-23.

³¹⁷. Global Survivors Fund (GSF), International Center for Transitional Justice (ICTJ), Conflict Victims Women's National Network (CVWN), and Nagarik Awaz, *Reparations for Survivors of Conflict-Related Sexual Violence: Country Briefing Nepal (2022)*, 26, https://www.globalsurvivorsfund.org/fileadmin/uploads/gsf/Documents/Resources/Global_Reparation_Studies/GSF_Country_Sheet_Nepal_EN_June2022_WEB.pdf.

³¹⁸. HRW, *Silenced and Forgotten: Survivors of Nepal's Conflict-Era Sexual Violence*, 3.

³¹⁹. UN OHCHR, *The Nepal Conflict Report*, 158; International Center for Transitional Justice and Advocacy Forum, *Across the Lines: The Impact of Nepal's Conflict on Women* (Kathmandu: International Center for Transitional Justice and Advocacy Forum, 2010), <https://www.ictj.org/sites/default/files/ICTJ-Nepal-Across-Lines-2010-English.pdf>.

³²⁰. Ibid., 15.

³²¹. Human Rights Watch (HRW), *Silenced and Forgotten* (September 2014), 1–4, <https://www.hrw.org/report/2014/09/23/silenced-and-forgotten/survivors-nepals-conflict-era-sexual-violence>; Subeksha Poudel, "Stories of Peace Builders from Nepal's Armed Conflict," UN Women Asia and the Pacific, October 28, 2020, <https://asiapacific.unwomen.org/en/news-and-events/stories/2020/10/stories-of-peace-builders-from-nepals-armed-conflict>.

³²². Committee against Torture (CAT), *Concluding Observations on Nepal*, UN Doc. CAT/C/NPL/CO/2, April 13, 2007, ¶ 27.

raids or security operations.³²³ Maoist combatants also perpetrated sexual violence,³²⁴ particularly against those who refused to participate or support the party's activities.³²⁵ Women and girls were subjected to physical, verbal and sexual assault,³²⁶ and Maoists combatants also exploited a range of situations to perpetrate sexual violence on other occasions.³²⁷

Many women and girls who survived conflict-related sexual violence (CRSV) continue to face stigma, ridicule and even abuse by their families, husbands and communities.³²⁸ Women who have sought mental or physical care have encountered significant barriers, including the absence of documentation of the violence and a general lack of training within the medical profession on working with survivors of sexual violence.³²⁹ Even as opportunities for justice emerged, many women failed to report CRSV due to fears of stigma or retaliation.³³⁰ Following the 2006 CPA, no mechanism was established for providing mental and physical healthcare to survivors of CRSV, many of whom are experiencing post-traumatic stress disorder, trauma and physical effects to date.³³¹ In 2008, the government launched an Interim Relief Program, which provided compensation to family members of those killed or disappeared during the

conflict but excluded victims and survivors of CRSV as beneficiaries.³³²

Women also experienced profound harms resulting from violations of the right to life and the widespread practice of enforced disappearance.³³³ These harms are compounded by financial loss, deep psychological trauma,³³⁴ and the societal and cultural stigma associated with widowhood and women-headed households.³³⁵ During the conflict, when men were forcibly disappeared, their wives and female family members were often pressured, both by circumstances and legal gaps, to register the disappeared as deceased. At that time, Nepali laws recognized birth, death and marriage as life events, with no legal recognition of enforced disappearance, creating uncertainty regarding the legal status of the disappeared. This legal vacuum had cascading effects on economic and property rights, as families were unable to access bank accounts or transfer land registered in the name of the disappeared without a death certificate.³³⁶ Further pressure arose from disparities in interim relief, as families of the deceased initially received higher compensation than families of the disappeared.³³⁷ Although this rule was amended in 2009, many families had already reported false deaths to secure urgently needed support.³³⁸

³²³. HRW, *Silenced and Forgotten*, 11.

³²⁴. UN OHCHR, *The Nepal Conflict Report*, 23.

³²⁵. HRW, *Silenced and Forgotten*, 1.

³²⁶. *Ibid.*, 1–4.

³²⁷. GSF et al., *Reparations for Survivors of Conflict-Related Sexual Violence*, 42.

³²⁸. HRW, *Silenced and Forgotten*, 5.

³²⁹. *Ibid.*, 5.

³³⁰. UN Human Rights Council, "Report of the Special Rapporteur on Violence against Women, Its Causes and Consequences, Dubravka Šimonović," Forty-first Session, June 24–July 12, 2019, UN Doc. A/HRC/41/42/Add.2 (June 19, 2019), ¶ 58.

³³¹. GSF et al., *Reparations for Survivors of Conflict-Related Sexual Violence*, 64.

³³². GSF et al., *Reparations for Survivors of Conflict-Related Sexual Violence*, 57.

³³³. UN OHCHR, *The Nepal Conflict Report*, 79–98, 109–123.

³³⁴. Human Rights and Justice Centre, *The Impact of Enforced Disappearances on Women in Nepal* (2023), 14–22, <https://hrjc.org.np/wp-content/uploads/2024/03/impact-of-ed-on-women-victims.pdf>.

³³⁵. Pamela G. Poon et al., "Nepali Widows' Access to Legal Entitlements: A Human Rights Issue," *Human Rights Quarterly* 38, no. 2 (2016): 391–410; UN Women, *The Crucial Role of Legal Frameworks in Advancing Gender Equality* (2024), 10.

³³⁶. ICTJ, *Beyond Relief: Addressing the Rights and Needs of Nepal's Wives of the Disappeared* (2013), 12, <https://www.ictj.org/sites/default/files/ICTJ-Briefing-Nepal-WivesofDisappeared-2013.pdf>.

³³⁷. Network of Families of the Disappeared, Nepal, *Joint Submission to the Universal Periodic Review of Nepal* (July 2020), https://www.upr-info.org/sites/default/files/documents/2021-08/js33_upr37_npl_e_main.pdf.

³³⁸. *Ibid.*

Women whose husbands were forcibly disappeared were frequently labelled ‘half widow,’ subjected to social exclusion, denied inheritance and property rights and, in some cases, pressured to perform funeral rites without knowledge of their loved one’s fate or whereabouts.³³⁹ These gendered consequences of enforced disappearance have persisted into the post-conflict period and intersect with broader structural inequalities, deepening women’s vulnerability and marginalization.

Transitional justice measures and processes have generally failed to acknowledge the role of women as combatants, including through a lack of gender-sensitive policies to support former Maoist combatants who experienced distinct forms of harms.³⁴⁰ There is similarly a disparity in the reintegration packages offered to former female combatants. Even when monetary parity is achieved, many women feel that they face higher barriers to reintegrating into their communities or that the retraining available to them only includes stereotypically female occupations.³⁴¹ This finding may also apply to former combatants with diverse gender identities, with documented cases of the demobilization of transgender individuals and others, however, there is limited information about their experiences as ex-combatants.

LGBTIQ+ people in Nepal face distinct, intersecting and often compounding forms of violence and discrimination during the conflict, including at the hands of the Maoists.³⁴² Notably, despite the prevalence of discriminatory rhetoric and practices at that time, one of the post-conflict Maoists-led governments became the first in Nepal to officially support LGBTIQ+ groups through allocations in the state budget.³⁴³

The aftermath of the conflict reflects and amplifies the gendered harms perpetuated by Nepal’s patriarchal society. Ongoing negative impacts of the conflict are compounded for women with intersectional identities: Women considered to be from lower castes,³⁴⁴ of diverse sexual orientations and of lower socioeconomic status are even more vulnerable. For instance, conflict-related deaths were significantly higher in poorer regions with greater economic and caste inequality due to that population’s greater participation in the Maoist movement,³⁴⁵ and women in those regions are also more likely to face negative economic impacts of widowhood. LGBTIQ+ people in Nepal are similarly not a homogenous group: intersecting identities related to caste, ethnicity, class, geography, disability and socioeconomic status shape their differential exposure to harm and access to power and protection.³⁴⁶

³³⁹. Human Rights and Justice Centre, *Impact of Enforced Disappearances on Women in Nepal*, 18-20.

³⁴⁰. Roshimi Goswami, *Report on the Re-integration of Maoist Ex-Combatant Women* (New York: UN Women, 2015), 13, <https://wps.unwomen.org/pdf/research/ROSHMI.pdf>.

³⁴¹. *Ibid.*, 10–12.

³⁴². UN Women, *Evidence to Action: Addressing Violence Against LGBTIQ+ People in Nepal* (Kathmandu: UN Women, 2023); Human Rights Watch, “Nepal: ‘Sexual Cleansing’ Drive Continues,” *HRW*, March 18, 2006, <https://www.hrw.org/news/2006/03/18/nepal-sexual-cleansing-drive-continues>; Human Rights Watch, “Nepal: Maoists Should End Anti-Gay Violence,” *HRW*, April 16, 2007, <https://www.hrw.org/news/2007/04/16/nepal-maoists-should-end-anti-gay-violence>.

³⁴³. Mitini Nepal, *National Parallel Report B + 25: Issues, Achievements, Gaps and Recommendations of LBTQ of Nepal* (2019), 9, <https://ngocsw.org/wp-content/uploads/2019/11/Nepal.pdf>.

³⁴⁴. In the context of Nepal, ‘castes considered lower’ refers to groups historically positioned at the bottom of the caste hierarchy, including Dalits and other marginalized caste groups, who have faced systemic exclusion, discrimination and social stigma despite constitutional guarantees of equality. See OHCHR, *Opening the Door to Equality: Access to Justice for Dalits in Nepal* (Kathmandu: OHCHR, 2011), 12, https://nepal.ohchr.org/en/resources/Documents/English/reports/HCR/2011_12_07_Opening_the_Door_to_Equality_E.pdf.

³⁴⁵. Quy-Toan Do and Lakshmi Iyer, “Geography, Poverty and Conflict in Nepal,” *Journal of Peace Research* 47, no. 6 (2010): 735–748; UN Development Programme (UNDP) and United States Agency for International Development (USAID), *Being LGBT in Asia: Nepal Country Report* (Bangkok: UNDP and USAID, 2014), 43, https://files.acquia.undp.org/public/migration/asia_pacific_rbap/rbap-hhd-2014-blija-nepal-country-report_0.pdf.

³⁴⁶. Ndeye Sow, Charlotte Onslow, Swechchha Dahal, and Anthony Pemberton, *Breaking the Binary* (London: Transparency International, September 2022), 9, <https://www.international-alert.org/app/uploads/2022/11/LGBT-Breaking-Binary-WPS-Nepal-Myanmar-EN-2022.pdf>.

ONGOING NEGATIVE IMPACTS OF THE CONFLICT ARE COMPOUNDED FOR WOMEN WITH INTERSECTIONAL IDENTITIES: WOMEN CONSIDERED TO BE FROM LOWER CASTES, OF DIVERSE SEXUAL ORIENTATIONS AND OF LOWER SOCIOECONOMIC STATUS ARE EVEN MORE VULNERABLE.

Despite growing attention to the rights of women and girls more broadly, the specific impacts of the conflict on women with intersecting identities and LGBTIQ+ people have not been adequately addressed. During the armed conflict, issues relating to LGBTIQ+ rights and inclusion were largely absent from public discourse, conflict narratives and peace negotiations, reflecting the fact that the organized LGBTIQ+ movement in Nepal was still emerging at the time. As a result, conflict-related violations experienced by LGBTIQ+ individuals were rarely articulated, systematically documented or framed as distinct harms during the conflict or its immediate aftermath. There is a dearth of statistics on LGBTIQ+ people in Nepal, and existing data have only recently been collected.³⁴⁷ LGBTIQ+ people often do not want their sexual orientation or gender identity to become public, which in turn makes it difficult to understand the panoply of effects of the conflict on these groups. In conflict settings, crackdowns on civic space and breakdowns in law and order exacerbate these harms.³⁴⁸

LGBTIQ+ people faced violence perpetrated by state security forces³⁴⁹ as well as the dissemination of anti-LGBTIQ+ rhetoric by Maoist actors. Studies have shown that as military mobilization intensified during the conflict, violence against the LGBTIQ+ community increased.³⁵⁰ Between 2003 and 2006, security forces subjected around 100 LGBTIQ+ people to severe beatings, attacks and torture in what was described as 'sexual cleansing'.³⁵¹ In 2004, authorities further detained 39 members of the Blue Diamond Society, an LGBT rights organization, for 13 days without charge.³⁵² Although these incidents have been documented, the reporting remains sporadic and the full extent of harms experienced by LGBTIQ+ people during the conflict is poorly understood. Significant gaps exist regarding how conflict-related dynamics shaped discrimination, marginalization and intersecting vulnerabilities faced by LGBTIQ+ and other marginalized Nepali communities.

The opening of civic space positively impacted the LGBTIQ+ community, as well as women, in Nepal. Following the democratic movement of 1990, a wave

³⁴⁷. Williams Institute, *Surveying Nepal's Sexual and Gender Minorities* (Bangkok: UN Development Programme, 2014), <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Nepal-SGM-Mar-2014.pdf>, Sow et al., *Breaking the Binary*, 17–18.

³⁴⁸. Alon Margalit, "Still a Blind Spot: The Protection of LGBT Persons During Armed Conflict and Other Situations of Violence," *International Review of the Red Cross* 100, nos. 1–2–3 (2018): 237–65, 238, <https://www.corteidh.or.cr/tablas/r39345.pdf>.

³⁴⁹. "Between 2003-2006, approximately 100 LGBT+ people were severely beaten, attacked, and tortured by government security forces in a 'sexual cleansing'." Sow et al., *Breaking the Binary*, 23; Human Rights Watch (HRW), "Nepal: Police on 'Sexual Cleansing' Drive," *Human Rights Watch*, January 13, 2006, <https://www.hrw.org/news/2006/01/13/nepal-police-sexual-cleansing-drive>; Sexual Minorities Face Police Brutality," *The New Humanitarian*, March 15, 2006, <https://www.thenewhumanitarian.org/news/2006/03/15/sexual-minorities-face-police-brutality>.

³⁵⁰. Sow et al., *Breaking the Binary*, 23.

³⁵¹. HRW, "Nepal: Police on 'Sexual Cleansing' Drive."

³⁵². The Humanitarian, "Sexual Minorities Face Police Brutality."

of civil society groups emerged;³⁵³ by 2000, over 30,000 non-governmental organizations were registered in Nepal.³⁵⁴ In 2001, the first LGBTIQ+ advocacy group, the Blue Diamond Society, was founded and LGBTIQ+ issues became part of civil society discourse in Nepal.³⁵⁵ The inclusion of women and those with diverse SOGIESC in civic society has paved the way for societal and legislative reforms, advanced the rights of LGBTIQ+ people, strengthened women's advocacy groups, and reinforced peace and conflict resolution efforts.³⁵⁶

The Constitution of Nepal (2015) guarantees several fundamental rights that are intrinsic to the protection of LGBTIQ+ communities, including the right to privacy,³⁵⁷ freedom of expression,³⁵⁸ and the right to live with dignity.³⁵⁹ Crucially, it explicitly recognizes the rights of LGBTIQ+ people and prohibits discrimination on the grounds of sexual orientation and gender identity.³⁶⁰ These constitutional guarantees mark a significant normative shift, embedding principles of equality and non-discrimination within Nepal's supreme legal framework.

This constitutional recognition was preceded and shaped by landmark judicial interventions. In 2007, the Supreme Court's decision in *Sunil Babu Pant v. Nepal* established a foundational precedent by recognizing the legal existence of non-binary persons and affirming that gender identity should be determined

by an individual's self-perceived identity.³⁶¹ The court directed the state to recognize a 'third gender' category in official documentation, positioning self-identification as the core principle of legal gender recognition.³⁶² However, despite its progressive intent, this ruling has been unevenly implemented. In practice, many administrative officials have imposed intrusive and burdensome evidentiary requirements, including proof of medical intervention, creating additional financial, physical and psychological barriers to recognition for transgender and gender-diverse persons.³⁶³

Subsequent legislative reforms, including the amendment of the Citizenship Act (2022) and the Citizenship Rules (2022), allow individuals to obtain citizenship certificates reflecting their gender identity as prescribed by law.³⁶⁴ While these reforms represent an important step towards aligning legislation with constitutional and judicial standards, they remain ambiguous regarding evidentiary requirements for gender recognition. Moreover, the current legal framework does not adequately address the situation of transgender persons who seek recognition as 'male' or 'female' rather than under the 'other' category, limiting the realization of self-determination and equal recognition before the law.³⁶⁵

Beyond legal identity, LGBTIQ+ persons, particularly lesbian, bisexual, and transgender women, continue to face high levels of physical, emotional and sexual

³⁵³. UNDP and USAID, *Being LGBT in Asia: Nepal Country Report*, 25.

³⁵⁴. *Ibid.*

³⁵⁵. *Ibid.*

³⁵⁶. *Ibid.*; UN Women Asia and the Pacific, "A Catalyst for Peace," *UN Women Asia and the Pacific*, August 11, 2014, <https://asiapacific.unwomen.org/en/news-and-events/stories/2014/8/a-catalyst-for-peace>.

³⁵⁷. *Constitution of Nepal*, 2015, art. 28.

³⁵⁸. *Ibid.*, art. 17(2)(a).

³⁵⁹. *Ibid.*, art. 16.

³⁶⁰. *Ibid.*, art. 18(2).

³⁶¹. UN Women, *Evidence to Action: Addressing Violence Against LGBTIQ+ People in Nepal* (June 2023), 28, https://un.org.np/sites/default/files/doc_publication/2023-06/LGBTIQ%20Study%20Report-Final-web%20version-11%20June%202023%20evening.pdf.

³⁶². *Ibid.*

³⁶³. *Ibid.*, 29.

³⁶⁴. *Citizenship Act*, sec. 6(3); *Citizenship Rules 2022*, Rule 8(b), Nepal.

³⁶⁵. HRW, "We Have to Beg So Many People": Human Rights Violations in Nepal's Legal Gender Recognition Practices (2024), 71, <https://www.hrw.org/report/2024/02/15/we-have-beg-so-many-people/human-rights-violations-nepals-legal-gender>.

violence perpetrated by family members, state actors and service providers.³⁶⁶ Structural discrimination further restricts access to healthcare, education and justice. Many lesbian women conceal their sexual orientation due to fear of family-based violence, and intersecting forms of discrimination exacerbate vulnerability among Dalit, Indigenous, Muslim and other minority women.³⁶⁷ Socioeconomic marginalization, limited access to education, poverty and disability further compound exposure to violence and exclusion.³⁶⁸ The persistent failure to register cases of sexual and gender-based violence (SGBV), weak investigative responses³⁶⁹ and the absence of comprehensive anti-discrimination legislation continues to undermine access to justice.³⁷⁰ In addition, the lack of disaggregated data, particularly by caste, gender identity and sexual orientation, remains a significant barrier to evidence-based policymaking and effective institutional responses.³⁷¹

In 2023, the Supreme Court issued another historic ruling directing the government to register same-sex marriages, further reinforcing the constitutional guarantees of equality and non-discrimination.³⁷² Despite this judicial advancement, implementation challenges persist. Reports indicate that lesbian couples, in particular, face obstacles to marriage registration, including harassment by family members, discriminatory treatment by law enforcement and resistance from local administrative authorities.³⁷³ These gaps between

legal recognition and lived realities underscore the limitations of reform efforts that are not accompanied by institutional accountability, administrative guidance and societal change. Moreover, while some studies document violence against LGBTIQ+ people in both physical and digital spaces, comprehensive and intersectional data remain scarce.³⁷⁴

This early invisibility of LGBTIQ+ experiences during the conflict period carried into the transitional justice phase, limiting the recognition of LGBTIQ+ persons as victims, constraining their meaningful participation in truth-seeking and reparative processes and weakening the capacity of transitional justice mechanisms to address gender-based harms and contribute to guarantees of non-repetition.

3. TRANSITIONAL JUSTICE PROCESS

In the aftermath of the conflict, formal transitional justice processes in Nepal have centred around the Commission on the Investigation of Enforced Disappeared Persons (CIEDP) and the Truth and Reconciliation Commission (TRC), which were established by the Enforced Disappearances Enquiry, Truth and Reconciliation Commission Act of 2014 (TRC Act).³⁷⁵ The very formation of the CIEDP and the TRC constituted a significant transitional justice exercise. Negotiations over the TRC Act spanned nearly 18

³⁶⁶. UN Women, *Evidence to Action*, 2.

³⁶⁷. Ibid.

³⁶⁸. Ibid., 3–4.

³⁶⁹. The Asia Foundation, *The State of Conflict and Violence in Asia: Nepal* (San Francisco: The Asia Foundation, October 11, 2017), 10, https://asiafoundation.org/wp-content/uploads/2024/08/The_State_of_Conflict_and_Violence_in_Asia-12.29.17.pdf.

³⁷⁰. UN Women, *Evidence to Action*, 2.

³⁷¹. Equality Now, *Sexual Violence in Nepal: Legal and Other Barriers to Justice for Survivors* (April 2021), 2, https://equalitynow.org/wp-content/uploads/2021/04/Sexual_Violence_in_South_Asia_Legal_and_other_Barriers_to_Justice_for_Survivors_-_Equality_Now_-_2021_1.pdf.

³⁷². Binod Ghimire, "Top Court Orders Registration of Same-Sex Marriages," *The Kathmandu Post*, June 29, 2023, <https://kathmandu-post.com/national/2023/06/29/top-court-orders-registration-of-same-sex-marriages>.

³⁷³. "Nepali Lesbians Harassed While Registering Marriage," HRW, May 13, 2025, <https://www.hrw.org/news/2025/05/13/nepali-lesbians-harassed-while-registering-marriage>.

³⁷⁴. UN Women, *Evidence to Action*, 10.

³⁷⁵. Sophia Ottoni-Wilhelm, "Recommended Amendments to the Truth and Reconciliation Act as the Government of Nepal Considers Prosecuting 65,411 Human Rights Cases from the Armed Conflict (1996–2006)," *Brooklyn Journal of International Law* 48, no. 1 (2022): 360.

years following the end of the conflict and involved sustained engagement by victims' organizations and civil society actors.³⁷⁶

Victims and survivors of the conflict, supported by civil society organizations, brought a successful challenge to the legislation before the Supreme Court, which issued a framework for Nepal's transitional justice process in 2015, stating that the government must:

- Draft the bill with the help of a team of experts;
- Establish the TRC only after additional consultation with stakeholders and victims and survivors;
- Place limits on the availability of amnesty, pardon and the withdrawal of cases involving gross human rights violations;
- Pass legislation to criminalize gross human rights violations, including torture, rape and enforced disappearance;
- Offer reparations to victims and survivors; and
- Give victims and the survivors the power of 'mandatory consent' in offering amnesty or conducting mediation in those cases where amnesty and mediation can be done.³⁷⁷

While representatives of conflict victims and survivors were included in some draft consultations, the final version of the TRC Act ultimately excluded substantive civil society, victim and survivor input.³⁷⁸

The Supreme Court subsequently ruled that several sections of the TRC Act violated its prior rulings; however, that did not prevent the formation of the CIEDP and TRC in February 2015.³⁷⁹ Both Commissions have been plagued by allegations of inaction, and many victims and survivors have adopted a strategy of 'critical engagement' with them.³⁸⁰ The Commissions received over 63,000 reports of human rights violations during their initial phase, but neither one has resolved a single case at the time of writing.³⁸¹ The high volume of complaints may reflect a willingness among victims and survivors to engage with transitional justice mechanisms, but the registration of only 308 cases of sexual violence is strikingly low, particularly given extensive documentation by civil society organizations indicating far higher levels of CRSV.³⁸² The low numbers may be because CRSV survivors who attempted to file complaints frequently encountered procedural hurdles and stigma, including the requirement to report sensitive violations to male officials.³⁸³

In August 2024, the government enacted an amendment to the TRC Act, with technical support from UN Women and following joint UN advocacy, revising several provisions that had evolved since the amendment was first proposed in 2023.³⁸⁴ The revised framework sought to respond to the 2015 Supreme Court ruling and bring the transitional justice process into closer alignment with international standards. Notably, the amendment marked meaningful progress

³⁷⁶. Ibid., 360.

³⁷⁷. *Suman Adhikari and Others v. Government of Nepal*, Writ Nos. 0058 and 0057 of the Year 2069 B.S. (Nep. Sup. Ct. 2015).

³⁷⁸. Ottoni-Wilhelm, "Recommended Amendments to the Truth and Reconciliation Act," 369.

³⁷⁹. Ibid., 370.

³⁸⁰. Krista Billingsley, "Making Them Accountable: Victim-Activists' Critical Engagement with Truth Commissions in Nepal," *Journal of Human Rights Practice* 11, no. 1 (2019): 190.

³⁸¹. Ottoni-Wilhelm, "Recommended Amendments to the Truth and Reconciliation Act", 360. International Commission of Jurists (ICJ), *Nepal: Transitional Justice Mechanisms with a Gender Perspective* (Geneva, Switzerland: International Commission of Jurists, 2021), 5, <https://www.icj.org/wp-content/uploads/2021/05/Nepal-Transitional-Justice-Gender-Advocacy-Analysis-Brief-2021-ENG.pdf>.

³⁸². United Nations Secretary-General, *Conflict-Related Sexual Violence: Report of the United Nations Secretary-General*, UN Doc. S/2020/487 (June 3, 2020), ¶ 65.

³⁸³. ICJ, *Nepal: Transitional Justice Mechanisms with a Gender Perspective*, 8.

³⁸⁴. Binod Ghimire, "Parliament Passes Transitional Justice Law Amendments," *The Kathmandu Post*, August 23, 2024, <https://kathmandupost.com/national/2024/08/23/parliament-passes-transitional-justice-law-amendments>.

in incorporating gender perspectives.³⁸⁵ It classified rape and grave sexual violence as ‘serious human rights violations,’ explicitly excluding them from amnesty; mandated the TRC to prioritize survivors of rape, sexual violence and torture for interim relief following preliminary investigations;³⁸⁶ established a separate investigative committee for cases of rape and sexual violence;³⁸⁷ and empowered the TRC to adopt specialized procedures to facilitate the filing of complaints by CRSV survivors. The amendment also requires the Commissions to integrate gender sensitivity across all activities,³⁸⁸ including the distribution of reparations.³⁸⁹ However, while the TRC is authorized to analyse the nature, patterns and intensity of violations,³⁹⁰ the Act does not explicitly require the analysis of gendered patterns or gender-specific consequences of conflict-related abuses.

The amendment further reopened the registration process for victims and survivors who were previously unable to file complaints.³⁹¹ As of August 2025, the TRC had registered a total of 15,157 new complaints, including 3,877 CRSV complaints, increasing the total caseload above 78,000. The CIEDP also registered 97 new complaints.³⁹² However, the National Association of Conflict Rape Victims has expressed concerns and filed complaints with conditions attached, making their cooperation contingent on the creation of separate procedures and units to investigate CRSV, among others.³⁹³ Additional concerns persist regarding

substantive gaps in the amended Act. Although rape and grave sexual violence are designated as non-amnestiable serious human rights violations, the amended Act fails to define these crimes, deferring instead to existing national legislation. The definition of ‘rape’ under the National Penal Code is widely regarded as inadequate, as it recognizes only women and girls as victims; excludes boys, men and LGBTIQ+ people; and limits rape to certain forms of penetration. Moreover, the National Penal Code does not criminalize several other forms of sexual violence, such as forced nudity or forced sterilization.

The TRC Act also omits crimes against humanity and war crimes from the list of serious human rights violations. This omission creates a legal loophole through which the systematic and widespread nature of CRSV may remain undocumented, potentially resulting in complete impunity.

In parallel to the legislative changes, Nepal implemented two National Action Plans (NAP) on UN Security Council Resolutions 1325 and 1820 on Women, Peace and Security. The first NAP (2011-2016) focused on promoting women’s participation in peacebuilding and decision-making, and the second NAP (2022-2025) explicitly addressed survivors of CRSV.³⁹⁴ In response to criticism of the first NAP, the Ministry of Home Affairs consulted with the Federation of Sexual and Gender Minorities Nepal³⁹⁵ and other LGBTIQ+ civil society organizations during

³⁸⁵ OHCHR, “Nepal: Türk Welcomes Adoption of Transitional Justice Law, Calls for Victim-Centred Implementation,” August 22, 2024, <https://www.ohchr.org/en/press-releases/2024/08/nepal-turk-welcomes-adoption-transitional-justice-law-calls-victim-centred>.

³⁸⁶ Nepal, *Enforced Disappearances Inquiry, Truth and Reconciliation Commission Act, (TRC Act) 2014* (Third Amendment, 2024), secs. 23(1)(a)–(b).

³⁸⁷ *Ibid.*, sec. 31(1)(d).

³⁸⁸ *Ibid.*, sec. 19.

³⁸⁹ *Ibid.*, sec. 23(8).

³⁹⁰ *Ibid.*, secs. 13(a)(1), 13(a)(2).

³⁹¹ Binod Ghimire, “Transitional Justice Complaints Soar but Victims Sceptical,” *The Kathmandu Post*, August 29, 2025, <https://kathmandupost.com/national/2025/08/29/transitional-justice-complaints-soar-but-victims-sceptical>.

³⁹² *Ibid.*

³⁹³ *Ibid.*

³⁹⁴ Government of Nepal, *The Second National Action Plan for the Implementation of United Nations Security Council Resolutions 1325 and 1820 (FY 2022/2023–2024/2025)* (Kathmandu, Nepal: Ministry of Home Affairs, 2022), <https://asiapacific.unwomen.org/sites/default/files/2023-11/np-english-nap-2023-s.pdf>.

³⁹⁵ Jamie J. Hagen et al., *Queering the Women, Peace and Security Agenda: A Practice-Based Toolkit* (Belfast, Ireland: Queen’s University, 2023), 39.

the formulation of the second NAP.³⁹⁶ Thus, the second NAP marked an important milestone in advancing gender-responsive peacebuilding. It contributed to the establishment of participatory mechanisms and multilevel institutional structures. It also marked an important milestone in embedding the leadership and voices of conflict-affected women within peacebuilding processes through which conflict victims actively participated in the formulation and implementation of the NAP. However, challenges remain in coordination, political commitment, resources, operational clarity, and oversight, resulting in uneven implementation across governance levels. Nonetheless, the second NAP offers important lessons for the transitional justice process, particularly in survivor participation, victim identification, ethical data management, and locally grounded service delivery, which are critical to strengthening responses to women affected by conflict and CRSV.³⁹⁷

A major point of contention in Nepal's transitional justice process has been the appointment of commissioners in May 2025. Although formally carried out through a recommendations committee, the process was widely perceived by victims' organizations and civil society actors as opaque, arbitrary and politically motivated, leading groups to boycott participation.³⁹⁸ This issue is particularly significant given the extensive powers vested in the commissioners, including the authority to analyse the conflict,³⁹⁹ uncover the truth⁴⁰⁰ and recommend measures for guarantees of non-recurrence of violations,⁴⁰¹ prosecutions⁴⁰² and reparations.⁴⁰³

Overall, the post-2024 transitional justice framework demonstrates renewed political and institutional momentum towards realizing the commitments set out in the Comprehensive Peace Agreement and the TRC Act. The explicit exclusion of amnesty for rape and grave sexual violence, the prioritization of interim relief for survivors, the reopening of complaint registration for previously excluded victims and survivors and the incorporation of gender-sensitive mandates across Commission activities represent important advances in aligning Nepal's transitional justice process with international norms, including the Women, Peace and Security agenda.

The current context presents a timely opportunity to strengthen inclusion within Nepal's transitional justice process. The LGBTIQ+ movement is now more visible and organized, and the Constitution explicitly recognizes the rights of LGBTIQ+ people. This creates an enabling environment for transitional justice mechanisms to more meaningfully engage with conflict-related experiences of LGBTIQ+ individuals and respond to their specific needs across all pillars of transitional justice, including truth-seeking, reparations, accountability and guarantees of non-repetition, consistent with the Women, Peace and Security agenda.

At the same time, the sustainability and impact of these reforms will depend on addressing the remaining legal, institutional and representational gaps identified in this case study. Further alignment with international standards will require continued attention to the scope and definitions of serious violations, the inclusivity of survivor participation and the transparency and independence of transitional justice institutions. Ongoing

³⁹⁶. Sow et al., *Breaking Binary*, 14.

³⁹⁷. For further analysis, see forthcoming assessment by UN Women on Nepal's second National Action Plan on Women, Peace and Security.

³⁹⁸. Binod Ghimire, "Conflict Victims Demand Fresh Transitional Justice Appointments," *The Kathmandu Post*, November 21, 2025, <https://kathmandupost.com/national/2025/11/21/victims-group-pressure-transitional-justice-commission-office-bears-to-step-down>.

³⁹⁹. TRC Act (Third Amendment, 2024), sec. 13(a)(1).

⁴⁰⁰. *Ibid.*, sec. 13(a)(2).

⁴⁰¹. *Ibid.*, sec. 13(a)(3).

⁴⁰². *Ibid.*, sec. 25.

⁴⁰³. *Ibid.*, sec. 23.

engagement with victims' groups and civil society, coupled with sustained political will, will be essential to consolidating recent gains and advancing a survivor-centred, gender-responsive and inclusive transitional justice process in Nepal.

4. LEGISLATIVE REFORMS ADVANCING GENDER EQUALITY AND THE CURRENT STATUS OF WOMEN, GIRLS AND LGBTIQ+ PEOPLE

Legislative reform in Nepal has evolved along two interrelated trajectories: reforms pursued within the formal transitional justice framework and a broader body of constitutional, criminal and sectoral laws developed largely outside it.

More specifically, one trajectory involves the transitional justice mechanisms (the TRC and CIEDP), mandated to analyse patterns of violations during the conflict⁴⁰⁴ and prevent their recurrence.⁴⁰⁵ The other (the legal frameworks adopted outside the transitional justice framework) can bolster the Commissions by informing gender-responsive, survivor-centred analyses, supporting the meaningful participation of survivors and guiding recommendations on accountability, institutional reform and prevention. Nepal's Constitution, relevant legal provisions and progressive jurisprudence, including landmark Supreme Court decisions on sexual orientation and gender identity, provide a strong normative foundation for transitional justice institutions to explicitly address gender equality and social inclusion, including the rights of LGBTIQ+ persons.

However, while existing constitutional and sectoral laws can inform and strengthen transitional justice processes, transitional justice-specific laws, mandates and procedures have a responsibility to explicitly incorporate LGBTIQ+ concerns going forward. Thus, drawing on the groundwork established by the second trajectory, the TRC and CIEDP

need to proactively integrate gender- and LGBTIQ+ inclusive approaches within their own rules, procedures, guidelines and institutional practices. This is particularly important to ensure that violations against LGBTIQ+ persons during the conflict are recognized, documented and addressed in ways that respond to their specific experiences of harm, stigma and exclusion. Generally speaking, strengthening transitional justice frameworks in this manner would contribute to a more inclusive and survivor-centred process; reinforce Nepal's constitutional commitments to equality, dignity and non-discrimination; and enhance the legitimacy and transformative potential of transitional justice outcomes.

Against this normative and legal backdrop, the second trajectory's body of law remains forward-looking in its relevance, offering a foundation for the work of current and future commissions appointed through more credible and transparent processes and for advancing inclusive guarantees of non-recurrence in Nepal.

Laws outside the transitional justice sphere are also useful because they move at a faster pace than formal transitional justice efforts. Nepal's transitional justice processes have been marked by persistent challenges, most notably political reluctance and prolonged delays in implementation. While amendments to the TRC Act were introduced only in 2024, over the past decade, Nepal has undertaken a range of legislative reforms addressing gender equality, sexual and gender-based violence (SGBV), and discrimination affecting women, girls and LGBTIQ+ people that have shaped formal transitional justice responses to conflict-era violations. Although many of these laws cannot fully handle the complexity and evolving nature of gendered harms, their cumulative development reflects a broader trajectory of legal adaptation to social change. Further, legislative reform in Nepal has been incremental and often

⁴⁰⁴. TRC Act (Third Amendment, 2024), sec. 13(a)(1).

⁴⁰⁵. TRC Act, sect. 13(a)(3).

contested, underscoring the significant effort required to amend entrenched norms, shift institutional mind-sets and advance gender-responsive lawmaking.

The National Penal Code, which was enacted in 2017 and entered into force in 2018, represents a central pillar of this evolving legal landscape. Although not designed specifically as a transitional justice instrument, its provisions complement the TRC Act by defining and criminalizing violations that are essential to understanding the scope and nature of conflict-related harms. Taken together, the National Penal Code and the TRC Act expand protections for survivors of SGBV and establish preventive and remedial measures aimed at safeguarding the rights of women, girls and people of diverse SOGIESC in both procedural and substantive law. However, the absence of comprehensive legislation specifically criminalizing all forms of gender-based violence (GBV) against women and girls and the inadequate protections against GBV for women and girls facing intersecting forms of discrimination still need to be addressed.⁴⁰⁶

4.1. SGBV: Criminalization, victim protection and redress

Nepal's first post-conflict Constitution, promulgated in 2015, prohibits violence against women, including sexual, physical, psychological and other forms of violence or exploitation on account of religion, culture, cultural or traditional practices, customs or "any other grounds".⁴⁰⁷

The National Penal Code criminalizes enforced disappearance, rape and sexual violence, and torture and ill-treatment,⁴⁰⁸ which have disproportionately

impacted women, girls and people of diverse SOGIESC in the aftermath of the conflict.⁴⁰⁹ The National Penal Code was further amended to increase the statute of limitations from one to two years for reporting rape. Nevertheless, women's rights advocates and international human rights treaty bodies continue to call for further alignment with international standards, including through the abolition or substantial extension of statutes of limitation.⁴¹⁰

Complementing these provisions, the Crime Victims Protection Act of 2018 seeks to ensure confidentiality, access to justice, and social rehabilitation for victims of crimes resulting in 'damage,' broadly defined to include pregnancy resulting from rape, psychological harm and the destruction or serious impairment of physical, sexual or reproductive capacity.⁴¹¹ The breadth and detail of the harms enumerated in the Act illustrate the efforts made by the government to protect crime victims experiencing gendered harms.⁴¹²

Significantly, the 2024 amendment to the TRC Act expanded the scope of redress for victims and survivors of human rights violations by recognizing reparations as a right rather than a discretionary measure. Earlier national laws had focused primarily on compensation, but they later incorporated social reintegration and limited forms of support. The TRC Act's broader reparative framework, which includes psychological counselling, interim relief, relief and rehabilitation and other appropriate measures,⁴¹³ illustrates the potential for transitional justice legislation to complement and advance existing legal protections.

⁴⁰⁶. CEDAW, *Concluding Observations on the Seventh Periodic Report of Nepal*, CEDAW/C/NPL/CO/7, ¶ 26(a) (February 28, 2025), <https://docs.un.org/en/CEDAW/C/NPL/CO/7>.

⁴⁰⁷. Constitution of Nepal, art. 38 (3).

⁴⁰⁸. *National Penal Code, 2017 Nepal*, secs. 167 (torture), 206 (enforced disappearances), 219 (rape and sexual offences), Nepal.

⁴⁰⁹. UN Special Rapporteur on Violence against Women, Its Causes and Consequences, *Report of the Visit to Nepal* (June 19, 2019), ¶¶ 8, 65, 71, <https://digitallibrary.un.org/record/3835022?ln=en&v=pdf>.

⁴¹⁰. Committee on the CEDAW, *Concluding Observations on the Sixth Periodic Report of Nepal*, ¶¶ 11(c), 23(a).

⁴¹¹. *Crime Victim Protection Act, 2075 (2018)*, sec. 2(m), Nepal.

⁴¹². *Ibid.*

⁴¹³. TRC Act (Third Amendment, 2024), sec. 23(1).

4.2. Harmful practices, discrimination and workplace safety

Nepal's replacement of the Penal and Civil Codes in 2017 marked a significant departure from earlier legal frameworks, which dated back to 1963. Nepal's updated Penal Code prohibits social and cultural practices that are disproportionately harmful to women and girls.⁴¹⁴ For instance, it prohibits *chhaupadi*, a practice of banishing girls and women during menstruation; dowry; accusation of witchcraft; discrimination against Dalits; and child marriage.⁴¹⁵ The reformed Civil Code also extinguishes prior discriminatory laws forbidding women from inheriting property after the death of their husbands.⁴¹⁶

These reforms are reinforced by additional gender-sensitive and inclusive legislation and policy frameworks, such as the Witchcraft-related Accusation (Crime and Punishment) Act of 2015, the Act to Amend Some Nepal Acts for Maintaining Gender Equality and Ending Gender-Based Violence of 2015, and the Sexual Harassment at the Workplace (Elimination) Act of 2015.⁴¹⁷ However, despite being criminalized, those violations of women's human rights continue to occur in many communities.⁴¹⁸ Lack of training of officials, inadequate resources, unclear delegation of

authority and responsibility and unclear avenues to tap into existing resources at their disposal are some of the other challenges leading to the non-implementation of laws and policies.⁴¹⁹

In line with its overarching legislative and policy frameworks, the government also launched several funds for survivors of GBV.⁴²⁰ Most of these funds are provisioned to support the rehabilitation of survivors and provide them with shelter, legal aid, medical treatment, psychological counselling and economic support, among others.⁴²¹ However, these funds are either ineffective or in limbo.⁴²²

Child marriage is particularly prevalent: As of 2019, over 38 per cent of Nepali women aged 18–49 had been married before age 18, and over 9 per cent of women and girls aged 15–49 had been married before age 15.⁴²³ Gender gaps in secondary education are widespread, with more than 80 per cent of Nepali girls leaving school by the time they reach the higher secondary level.⁴²⁴ Marriage still holds a significant place in Nepal's social hierarchy, and unmarried women and women who participate in unregistered or customary marriages cannot access a wide swathe of economic, social and other services necessary to realize formal equality.⁴²⁵

⁴¹⁴. Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Nepal*, UN Doc. A/HRC/47/10 (March 30, 2021), <https://docs.un.org/en/A/HRC/47/10>.

⁴¹⁵. *National Penal Code, 2017*, secs.160, 168, 174.

⁴¹⁶. *Ibid.*, sec. 238.

⁴¹⁷. UN Women, *Country Gender Equality Profile: Nepal* (Kathmandu: UN Women, 2023), 112, <https://asiapacific.unwomen.org/sites/default/files/2023-07/np-cgep-nepal-s.pdf>.

⁴¹⁸. CEDAW, *Concluding Observations on the Seventh Periodic Report of Nepal*, ¶ 24.

⁴¹⁹. UN Women, *Country Gender Equality Profile: Nepal*, 112–113.

⁴²⁰. Forum for Women, Lead and Development (FWLD) and Himal Innovative Development & Research Pvt. Ltd., *Policy Brief: Nepal's Gender-Based Violence and Gender Equality Funds: The Path to Effective Implementation* (2021), 11, <https://nepal.un.org/sites/default/files/2021-06/np-the-path-to-effective-implementation-english.pdf>.

⁴²¹. *Ibid.*, 16–32.

⁴²². *Ibid.*, 32.

⁴²³. UNFPA–UNICEF Global Programme to End Child Marriage, *Country Profile Report: Nepal, 2022* (2022), https://www.unicef.org/media/146321/file/Nepal_2022.pdf.

⁴²⁴. Anil Paudel, "For Girls in Nepal, an Educational Gap Hinders the Transition to Work," *Brookings*, June 2019, <https://www.brookings.edu/articles/for-girls-in-nepal-an-educational-gap-hinders-the-transition-to-work>.

⁴²⁵. Blue Diamond Society, *Discrimination and Violence against Lesbian and Bisexual Women and Transgender Persons in Nepal: Shadow Report Submitted to the Committee on the Elimination of Discrimination against Women (CEDAW) for Consideration at the 71st Pre-sessional Working Group, January 2018*, 5, <https://archive.nyu.edu/bitstream/2451/42366/2/Discrimination%20and%20Violence%20in%20Nepal.pdf>.

4.3. Right to health and reproductive autonomy

Nepal's Safe Motherhood and Reproductive Health Rights Act of 2018 is a useful example of legislative reform formalizing broad protections for women's and girls' rights to health and reproductive autonomy by requiring health institutions to provide high-quality obstetric care and education around reproductive rights while also establishing guidelines on safe abortion, patient confidentiality and government budgeting for motherhood and reproductive healthcare.⁴²⁶ In 2021, Nepal also adopted the Safe Motherhood and Newborn Health Roadmap until 2030.⁴²⁷

The path to upholding the right to abortion has encompassed both progress and setbacks. In *Lakshmi v. Government of Nepal*, the Supreme Court in 2009 recognized abortion as a woman's fundamental right.⁴²⁸ This obligated the government to reduce disparities in abortion access and enact a comprehensive law on abortion "from a rights-based approach". Nepal complied with the court's order, announcing free abortion services in government health facilities in 2015 and subsequently revising the Procedural Guidelines on Safe Abortion Services to include the implementation of free abortion services in 2016. However, safe abortion services are not fully accessible due to the limited availability and quality of abortion services across the country, a lack of trained personnel,

inadequate infrastructure, women's lack of awareness about available services, and stigma, resulting in high numbers of unsafe abortions.⁴²⁹

Other challenges are the lack of age-appropriate education on sexual and reproductive health and limited access to affordable health services, particularly for rural women, Indigenous women, women with disabilities, sex workers and lesbian, bisexual, transgender and intersex women.⁴³⁰ Furthermore, the rights of intersex children to health, physical and psychological integrity and freedom from torture and ill-treatment may be violated as a result of forced and coercive medical interventions and unnecessary medical procedures regularly performed on intersex children in healthcare settings in Nepal.⁴³¹

4.4. Legal recognition and protection of LGBTIQ+ people's rights

Despite the data gap around the rights of and opportunities for LGBTIQ+ people in Nepal, existing data demonstrate the relationship between Nepal's transition to democracy and a proliferation of advocacy on behalf of the LGBTIQ+ community. Among Nepal's key legislative reforms is the Supreme Court's June 2023 interim ruling requiring the government to register same-sex marriages.⁴³² This ruling stems from the 2007 Supreme Court order requiring the government to develop anti-discrimination laws and investigate the possibility of legalizing same-sex marriage. The 2007 ruling also recognized a 'third gender' category,

⁴²⁶. *The Right to Safe Motherhood and Reproductive Health Act, 2018* (2018), Nepal.

⁴²⁷. CEDAW, *Concluding Observations on the Seventh Periodic Report of Nepal*, ¶ 5(e).

⁴²⁸. Center for Reproductive Rights, *Supplementary Information on Nepal, Scheduled for Review by CEDAW during Its Pre-Sessional Working Group* (January 29, 2018), 3, https://www.ecoi.net/en/file/local/1424874/1930_1519131691_int-cedaw-ngo-npl-30043-e.pdf.

⁴²⁹. CEDAW, *Concluding Observations on the Seventh Periodic Report of Nepal*, ¶ 42(c).

⁴³⁰. *Ibid.*, ¶ 42(b).

⁴³¹. OHCHR, *Technical Note on the Human Rights of Intersex People: Human Rights Standards and Good Practices* (November 3, 2023), 1–2, <https://www.ohchr.org/sites/default/files/2023-11/ohchr-technical-note-rights-intersex-people.pdf>.

⁴³². UNDP, USAID, *Being LGBT in Asia*, 26 ("The remarkable advocacy by the LGBT community resulted in notable gains in legal and constitutional recognition as well as the frequent and high profile visibility of LGBT people in public spaces. It also attracted wide civil society support and a commensurate larger presence in the public domain and discourse."); Binod Ghimire, "Top Court Orders Registration of Same Sex Marriages," *The Kathmandu Post*, June 29, 2023, <https://kathmandupost.com/national/2023/06/29/top-court-orders-registration-of-same-sex-marriages>; Meenakshi Ganguly, "Nepal's Historic Achievement on Marriage Equality: Becomes the Second Country in Asia to Register Same Sex Marriage," *HRW*, July 5, 2023, <https://www.hrw.org/news/2023/07/05/nepals-historic-achievement-marriage-equality>.

a progressive legal step facilitating the formal recognition of gender-expansive Nepali individuals applying for citizenship.⁴³³

Notwithstanding these legislative efforts, LGBTIQ+ people are often victims of harassment and discrimination in employment, education, healthcare and other spheres encompassing access to economic, social and cultural rights.⁴³⁴ Violence and stigma against the LGBTIQ+ community, particularly lesbian, bisexual, and transgender persons, is still prevalent.⁴³⁵ Nepal's patriarchal societal structure negatively impacts not only women, but also those who challenge the ingrained gender binary.⁴³⁶ This disproportionately impacts the rights of transgender and non-binary persons and lesbian and bisexual women who challenge the traditional family structure perpetuated by this patriarchal system.⁴³⁷

4.5. Persistent legal gaps and ongoing advocacy

Persistent gender disparities remain in Nepal's citizenship framework, particularly affecting the ability of women to confer citizenship to their children. Advocates continue to emphasize the importance of reforming discriminatory provisions in the Citizenship Act, under which Nepali women, but not Nepali men, face additional legal and procedural barriers when conferring citizenship by descent to their children where the other parent is a foreign national.⁴³⁸

Concerns also persist regarding the procedural requirement that a Nepali mother and her child(ren) submit a self-declaration where the father's identity is unknown.⁴³⁹ In practice, administrative authorities in the past frequently denied applications even when the father was absent or no longer contactable at the time of application and mother had self-declared non-identification of the father. The amendment to the Citizenship Act adopted in June 2025 partially addressed this issue by redefining "unidentified" to include situations in which the father is absent or unreachable despite being named in official records.⁴⁴⁰ The amendment further allows children born to Nepali mothers and residing in Nepal to acquire citizenship based on self-declaration where the father is not identified, thereby correcting a long-standing restrictive administrative practice. UN Women supported advocacy for this reform through the UN Legal Identity Working Group and other human rights mechanisms, including UN Country Team reporting and confidential briefings to the Universal Periodic Review.

Notwithstanding these positive developments, civil society actors note that the amendment does not fully capture situations in which fathers are absent, uncooperative, or have abandoned parental responsibilities.⁴⁴¹ The legal framework continues to reflect gender asymmetry: fathers are generally able to confer citizenship without scrutiny regarding the mother's identity, whereas mothers face heightened evidentiary and procedural requirements.⁴⁴² As a result, gender-based inequalities in citizenship transmission persist.

⁴³³. HRW, *We Have to Beg so Many People*, 2.

⁴³⁴. UNDP, USAID, *Being LGBT in Asia*, 10.

⁴³⁵. Blue Diamond Society, *Discrimination and Violence*, 2–3.

⁴³⁶. Astraea Lesbian Foundation for Justice, *Bridges to Justice: Case Study of LGBTI Rights in Nepal* (New York: Astraea Lesbian Foundation for Justice, 2015), 14.

⁴³⁷. Blue Diamond Society, *Discrimination and Violence*, 4–5.

⁴³⁸. Constitution of Nepal, 2015, art. 11(7); The Kathmandu Post, "Citizenship Bill Eases Process, but Gender Bias Remains," editorial, July 9, 2025, <https://kathmandupost.com/national/2025/07/09/citizenship-bill-eases-process-but-gender-bias-remains>.

⁴³⁹. The Kathmandu Post, "Citizenship Bill Eases Process, but Gender Bias Remains," July 9, 2025, <https://kathmandupost.com/national/2025/07/09/citizenship-bill-eases-process-but-gender-bias-remains>; Nepal, Nepal Citizenship Act 2006 (Second Amendment 2025), sec. 3 (5a).

⁴⁴⁰. *Ibid.*

⁴⁴¹. *Ibid.*

⁴⁴². *Ibid.*

The existing framework continues to “render women unequal under the law,” disproportionately impacting minority women, especially those living on the Indo-Nepal border; unmarried women; survivors of CRSV; war widows; women in same-sex relationships; and trans men, whose children may be denied citizenship because of sex assigned at birth.⁴⁴³ Nepal’s discriminatory citizenship laws also have a trickle-down effect on the thousands of children whose fathers are not Nepali. These children, who have no formally recognized nationality, face restrictions on their rights to access education, formal employment and state benefits and services.⁴⁴⁴

Furthermore, the amendments to the Citizenship Act do not expressly clarify that applicants are not required to submit medical documentation to establish their gender. While the law states that an individual may identify as male, female or ‘other’ on the citizenship certificate,⁴⁴⁵ it leaves room for discretionary interpretation by administrative authorities. This lack of clarity risks perpetuating earlier practices in which executive officials may require and consider a recognized medical doctor’s recommendation regarding the applicant’s gender identity. Advocates caution that such a requirement creates unjustified barriers to obtaining citizenship, undermining equality for LGBTIQ+ people, particularly for economically marginalized transgender individuals who may face limited access to health-care services.⁴⁴⁶

LGBTIQ+ people’s rights organizations continue to engage in efforts to counteract discrimination and advocate for LGBTIQ+ people’s rights, including

by urging the government to incorporate LGBTIQ+ people’s rights into university and secondary education curricula and pushing for social understandings to reflect the formal recognition of those rights within Nepali law.⁴⁴⁷ Advocates also continue to provide necessary services to people of diverse SOGIESC and urge the government to translate court rulings into concrete policy change, reform laws disparately impacting the LGBTIQ+ community and provide additional resources to adequately address data gaps around LGBTIQ+ people’s rights.⁴⁴⁸

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⁴⁴³. Blue Diamond Society, *Discrimination and Violence*, 9.

⁴⁴⁴. Shivani Mishra, “Equal Laws in Nepal Crucial for Ending Discrimination Against Women,” HRW, March 8, 2023, <https://www.hrw.org/news/2023/03/08/equal-laws-nepal-crucial-ending-discrimination-against-women>.

⁴⁴⁵. Nepal, *Nepal Citizenship Act 2006 (First Amendment 2022)*, sec. 6(3) and Nepal, *Nepal Citizenship Rules 2006 (Third Amendment 2023)*, sec. 6.

⁴⁴⁶. Himalayan News Service, “Citizenship Bill Not Inclusive,” *The Himalayan Times*, July 2, 2020, <https://thehimalayantimes.com/nepal/citizenship-bill-not-inclusive>.

⁴⁴⁷. UNDP, USAID, *Being LGBT in Asia*, 38.

⁴⁴⁸. Anam Abbas, “UN Women Supports Efforts to Improve LGBTIQ Rights in Nepal,” UN Women, January 27, 2021, <https://asiapacific.unwomen.org/en/news-and-events/stories/2020/12/rights-and-representation-of-lgbtqi-community>.

⁴⁴⁹. Shivani Mishra, “Equal Laws in Nepal Crucial for Ending Discrimination Against Women,” HRW, March 8, 2023, <https://www.hrw.org/news/2023/03/08/equal-laws-nepal-crucial-ending-discrimination-against-women>.

⁴⁵⁰. *Nepal Citizenship (First Amendment) Act 2023*, sec. 6(3) and *Nepal Citizenship (Third Amendment) Rules 2023*, Sec 6.

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5. CONCLUSION

Nepal's experience illustrates the complex interplay between legislative reform and transitional justice, highlighting both the progress achieved and the gaps that remain. Over the past two decades, the country has advanced gender-sensitive legislation across multiple domains, including protections against SGBV,

recognition of LGBTIQ+ people's rights and broader legal reforms addressing discrimination and structural inequality. While these reforms have not always been fully integrated into transitional justice mechanisms, they provide critical guidance for the work of the TRC and CIEDP, particularly in ensuring gender-responsive, survivor-centred analyses and interventions.

The evolution of Nepal's legal framework underscores the importance of an integrated approach, where advances in general law reinforce transitional justice efforts and transitional justice mechanisms, in turn, contribute to broader legal and social reforms. However, as demonstrated by persistent challenges, such as gaps in definitions, limitations in implementation, and restricted participation of marginalized groups, legislative change alone is insufficient to achieve substantive equality and justice.

Nepal's case thus offers valuable insights for Member States, the United Nations, civil society and other stakeholders. It demonstrates the potential of coordinated legal reform and transitional justice processes to advance accountability, access to justice, and gender equality while also highlighting the sustained attention and institutional commitment required to translate laws into meaningful protections for survivors and marginalized communities.

⁴⁵¹. Himalayan News Service, "Citizenship Bill Not Inclusive," *The Himalayan Times*, July 2, 2020, <https://thehimalayantimes.com/nepal/citizenship-bill-not-inclusive>.

⁴⁵². UNDP, USAID, *Being LGBT in Asia*, 38.

⁴⁵³. Anam Abbas, "UN Women Supports Efforts to Improve LGBTIQ Rights in Nepal," *UN Women*, January 27, 2021, <https://asiapacific.unwomen.org/en/news-and-events/stories/2020/12/rights-and-representation-of-lgbtqi-community>.



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BIBLIOGRAPHY

- Alianza Iniciativa de Mujeres Colombianas por la Paz, La Experiencia de Acceso a la Justicia de las Mujeres del Corregimiento de Libertad: La Importancia de Caminar Acompañadas, Documento Público No. 9 (Bogotá: IMP, 2018), https://mujeresporlapaz.org/wp-content/uploads/2023/07/doc_Pub_porta-contrap_2018.pdf.*
- Alina Rocha Menocal, "Women's Participation and Influence in Transitions from Conflict: The Case of Colombia," *ODI Country Study* (London: ODI, 2022), 22, https://odi.org/documents/8156/WPS_Colombia_case_study_FINAL_FCDO_v2_SUff0jL.pdf.
- Alon Margalit, "Still a Blind Spot: The Protection of LGBT Persons During Armed Conflict and Other Situations of Violence," *International Review of the Red Cross* 100, nos. 1–2–3 (2018), <https://www.corteidh.or.cr/tablas/r39345.pdf>.
- Amnesty International, "Colombia: Luego de un Año, las Mujeres Buscadoras de Víctimas de Desaparición Forzada Esperan que el País les Cumpla," *Amnesty International*, June 18, 2025, <https://www.amnesty.org/es/latest/press-release/2025/06/colombia-mujeres-buscadoras-esperan-que-el-pais-les-cumpla/>.
- Amnesty International, *No One Cares: Descent-Based Discrimination Against Dalits in Nepal* (London: Amnesty International, May 10, 2024), <https://www.amnesty.org/en/documents/asa31/7980/2024/en/>.
- Amnesty International, *Transforming Pain into Rights: Risks, Threats and Attacks on Women Searchers in Colombia*, <https://www.amnesty.org/es/wp-content/uploads/2024/12/AMR2387522024ENGLISH.pdf>.
- Ana Güzmes García et al., *100 Medidas que Incorporan la Perspectiva de Género en el Acuerdo de Paz entre el Gobierno de Colombia y las FARC-EP para Terminar el Conflicto y Construir una Paz Estable y Duradera* (Bogotá: UN Women, 2017), <https://colombia.unwomen.org/es/biblioteca/publicaciones/2017/05/100-medidas-genero-acuerdos>.
- Análisis de Situación de las Mujeres Víctimas de Desplazamiento Forzado de la Subregión del Catatumbo (Norte de Santander), Febrero 2025* (Colombia: Espacio de Coordinación Nacional de Violencia Basada en Género, February 2025), <https://reliefweb.int/report/colombia/analisis-de-situacion-de-las-mujeres-victimas-de-desplazamiento-forzado-de-la-subregion-del-catatumbo-norte-de-santander-febrero-2025>.
- Anam Abbas, "UN Women Supports Efforts to Improve LGBTIQ Rights in Nepal," *UN Women*, January 27, 2021, <https://asiapacific.unwomen.org/en/news-and-events/stories/2020/12/rights-and-representation-of-lgbtiq-community>.
- Ángela Sabogal Camargo and David Alonzo, coords., *Diagnóstico y Recomendaciones para la Inclusión Laboral de los Sectores LGBTI* (Bogotá: Secretaría Distrital de Planeación, 2022), https://www.sdp.gov.co/sites/default/files/diagnostico_recomendaciones_inclusion_laboral_sectores_sociales_lgbti.pdf.
- Anil Paudel, "For Girls in Nepal, an Educational Gap Hinders the Transition to Work," *Brookings*, June 2019, <https://www.brookings.edu/articles/for-girls-in-nepal-an-educational-gap-hinders-the-transition-to-work>.
- Anna Myriam Roccatello and Gabriel Rojas, *A Mixed Approach to International Crimes The Retributive and Restorative Justice Procedures of Colombia's Special Jurisdiction for Peace* (ICTJ, 2020), https://www.ictj.org/sites/default/files/ICTJ_Report_Colombia_MixedProcedures.pdf.
- Asian Human Rights Commission, "Nepal under Royal Regime – One Year of Dictatorial Rule Deepening the National Crisis," *ReliefWeb*, February 1, 2006, <https://reliefweb.int/report/nepal/nepal-under-royal-regime-one-year-dictatorial-rule-deepening-national-crisis>.
- Astraea Lesbian Foundation for Justice, *Bridges to Justice: Case Study of LGBTI Rights in Nepal* (New York: Astraea Lesbian Foundation for Justice, 2015).
- Benita Kayembe et al., *Advancing Gender Equality in Sierra Leone: A Case Study* (Cambridge: Harvard Ministerial Leadership Program, 2023), <https://ministerialleadership.harvard.edu/case-studies/advancing-gender-equality-in-sierra-leone-a-case-study/>.

- Binaifer Nowrojee, Janet Fleischman, Alison DesForges, "Shattered Lives: Sexual Violence during the Rwandan Genocide and its Aftermath," *Human Rights Watch*, September 24, 1996, <https://www.hrw.org/report/1996/09/24/shattered-lives/sexual-violence-during-rwandan-genocide-and-its-aftermath>.
- Binod Ghimire, "Conflict Victims Demand Fresh Transitional Justice Appointments," *The Kathmandu Post*, November 21, 2025, <https://kathmandupost.com/national/2025/11/21/victims-group-priorities-transitional-justice-commission-office-bearers-to-step-down>.
- Binod Dhakal, "People's Movement II: The Catalyst Behind Nepal's Democratic Revolution," *Nepal News*, April 24, 2025, <https://english.nepalnews.com/s/explainers/peoples-movement-ii-the-catalyst-behind-nepals-democratic-revolution/?utm>.
- Binod Ghimire, "Parliament Passes Transitional Justice Law Amendments," *The Kathmandu Post*, August 23, 2024, <https://kathmandupost.com/national/2024/08/23/parliament-passes-transitional-justice-law-amendments>.
- Binod Ghimire, "Top Court Orders Registration of Same-Sex Marriages," *The Kathmandu Post*, June 29, 2023, <https://kathmandupost.com/national/2023/06/29/top-court-orders-registration-of-same-sex-marriages>.
- Blue Diamond Society, *Discrimination and Violence against Lesbian and Bisexual Women and Transgender Persons in Nepal: Shadow Report Submitted to the Committee on the Elimination of Discrimination against Women for Consideration at the 71st Pre-sessional Working Group*, January 2018, 5, <https://archive.nyu.edu/bitstream/2451/42366/2/Discrimination%20and%20Violence%20in%20Nepal.pdf>.
- Brandon Hamber, "Masculinity and Transitional Justice: An Exploratory Essay," *International Journal of Transitional Justice* 1, no. 3 (2007), <https://doi.org/10.1093/ijtj/ijm037>.
- Brandon Hamber, "There Is a Crack in Everything: Problematizing Masculinities, Peacebuilding and Transitional Justice," *Human Rights Review* 17, no. 1 (March 2016), <https://doi.org/10.1007/s12142-015-0377-z>.
- Burim Mexhuani, "The Role of the EU in Shaping Kosovo's Political Future: A Critical Analysis," *Cogent Social Sciences* 9, no. 1 (May 2023), <https://doi.org/10.1080/23311886.2023.2209983>.
- Caste-based Discrimination and Untouchability (Crime and Punishment) Act*, 2011, Nepal.
- Catherine O'Rourke, "Transitional Justice and Gender" in *Research Handbook on Transitional Justice*, eds. Cheryl Lawther, Luke Moffett, and Dov Jacobs (Cheltenham, UK: Edward Elgar Publishing, 2017).
- Center for Reproductive Rights, *Supplementary Information on Nepal, Scheduled for Review by CEDAW during Its Pre-Sessional Working Group* (January 29, 2018), https://www.ecoi.net/en/file/local/1424874/1930_1519131691_int-cedaw-ngo-npl-30043-e.pdf.
- Centro Nacional de Memoria Histórica, *Aniquilar la Diferencia: Lesbianas, Gays, Bisexuales y Personas Trans en el Marco del Conflicto Armado Colombiano* (Bogotá: CNMH, 2015), <https://centrodehistoria.gov.co/descargas/informes2015/aniquilar-la-diferencia/aniquilar-la-diferencia.pdf>.
- Centro Nacional de Memoria Histórica, ¡Basta ya! Colombia: memorias de guerra y dignidad (Bogotá: Centro Nacional de Memoria Histórica, 2013, <https://centrodehistoria.gov.co/wp-content/uploads/2021/12/1.-Basta-ya-2021-baja.pdf>.
- Centro Nacional de Memoria Histórica, *Memoria Histórica con Víctimas de Violencia Sexual* (Bogotá: CNMH, 2018), <http://centrodehistoria.gov.co/wp-content/uploads/2020/02/memoria-historica-con-victimas-de-violencia-sexual.pdf>.
- Centro Nacional de Memoria Histórica, *Tierras: balance de la contribución del Centro Nacional de Memoria Histórica al esclarecimiento histórico* (Bogotá: Centro Nacional de Memoria Histórica, 2018, <https://centrodehistoria.gov.co/micrositios/balances-jep/descargas/balance-tierras.pdf>.
- Charter of Fundamental Rights of the European Union, 2012 O.J. (C 326) 391.
- Christine Bell and Catherine O'Rourke, "Does Feminism Need a Theory of Transitional Justice? An Introductory Essay," *International Journal of Transitional Justice* 1, no. 1 (March 2007), <https://doi.org/10.1093/ijtj/ijm002>.
- Cindy Bello, Kellea Miller, and Irene Schneeweis, *Colombia LGBTI:*

- Resumen de las Condiciones Políticas, Económicas y Sociales (Astraea Fundación Lésbica para la Justicia, 2015), https://globalphilanthropyproject.org/wp-content/uploads/2017/01/Astraea-Colombia-Resumen-2015_Spanish.pdf; Citizenship Act (Nepal).
- Citizenship Rules 2022 (Nepal).
- Civil Union Act, 2006, No. 17 of 2006 (South Africa).
- Claudia Gonzalez, "The Status of the Women, Peace and Security Agenda in Colombia and Progress Toward a 1325 National Action Plan, 2023," *Our Secure Future*, December 18, 2023, <https://oursecurefuture.org/our-secure-future/news/status-women-peace-and-security-agenda-colombia-and-progress-toward-1325>.
- Colectiva Justicia Mujer, *Análisis de la Ley 1257 de 2008 en sus Diez Años de Implementación* (Bogotá: Colectiva Justicia Mujer, 2018), <https://colectivajusticiamujer.org/product/analisis-de-la-ley-1257-de-2008-en-sus-diez-anos-de-implementacion/>.
- Comisión para el Esclarecimiento de la Verdad, *La Convivencia y la No Repetición, Hay Futuro si hay Verdad: Informe Final* (Bogotá: Comisión de la Verdad, 2022), <https://www.comisiondelaverdad.co/hallazgos-y-recomendaciones-1>.
- Comisión para el Esclarecimiento de la Verdad, *La Convivencia y la No Repetición, "Mi Cuerpo es la Verdad,"* in *Hay Futuro si hay Verdad*, <https://www.comisiondelaverdad.co/mi-cuerpo-es-la-verdad>.
- Committee Against Torture, *Concluding Observations on Nepal*, UN Doc. CAT/C/NPL/CO/2, April 13, 2007.
- Committee on the Elimination of Discrimination against Women, *Concluding Observations of the Committee on the Sixth Periodic Review of Liberia*, CEDAW/C/LBR/CO/6 (August 7, 2009), <https://digitallibrary.un.org/record/791766?ln=en&v=pdf>.
- Committee on the Elimination of Discrimination against Women, *Concluding Observations on the Seventh Periodic Report of Nepal*, CEDAW/C/NPL/CO/7 (February 28, 2025), <https://docs.un.org/en/CEDAW/C/NPL/CO/7>.
- Commonwealth Foundation, *National Report: Sierra Leone, A Civil Society Review of Progress Towards The Millenium Development Goals In Commonwealth Countries* (London: Commonwealth Foundation, 2013), https://commonwealthfoundation.com/wp-content/uploads/2013/10/MDG%20Reports%20Sierra_Leone_FINAL_2.pdf.
- Comprehensive Peace Accord between the Government of Nepal and the Communist Party of Nepal (Maoist) (November 22, 2006), <https://peacemaker.un.org/sites/default/files/document/files/2024/05/np061122comprehensive20peace20agreement20between20the20government20and20the20cpn2028maoist29.pdf>.
- Constitution of Colombia, 1991, <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=4125>.
- Constitution of Colombia, Constitutional Amendment (Acto Legislativo) No. 01 of 2017, <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=80615>.
- Constitution of Nepal, 2015.
- Constitution of the Republic of South Africa, 1993 (Interim Constitution).
- Constitution of the Republic of South Africa, 1996, No. 108 of 1996.
- Convention on the Elimination of All Forms of Discrimination against Women, December 18, 1979, 1249 U.N.T.S. 13.
- Corte Constitucional de Colombia, Sentencia C-075/07 (2007), <https://www.corteconstitucional.gov.co/relatoria/2007/c-075-07.htm>.
- Corte Constitucional de Colombia, Sentencia C-098/96 (1996), <https://www.corteconstitucional.gov.co/relatoria/1996/c-098-96.htm>.
- Corte Constitucional de Colombia, Sentencia C-120/13 (2013), <https://www.corteconstitucional.gov.co/relatoria/2013/c-120-13.htm>.
- Corte Constitucional de Colombia, Sentencia C-683/15 (2015), <https://www.corteconstitucional.gov.co/relatoria/2015/c-683-15.htm>.
- Corte Constitucional de Colombia, Sentencia SU-214/16 (2016), <https://www.corteconstitucional.gov.co/relatoria/2016/su214-16.htm>.
- Corte Constitucional de Colombia, Sentencia T-063/15 (2015), <https://www.corteconstitucional.gov.co/relatoria/2015/t-063-15.htm>.
- Corte Constitucional de Colombia, Sentencia T-675/17 (2017), <https://www.corteconstitucional.gov.co/relatoria/2017/t-675-17.htm>.
- Crime Victim Protection Act, 2075, 2018, (Nepal).

- Cumbre Nacional de Mujeres y Paz, “¿Quiénes Somos?” last modified July 17, 2024, <https://www.cumbrenacionaldemujeresypaz.com.co/sobre-la-cumbre/quienes-somos/>.
- Damien de Walque and Philip Verwimp, *The Demographic and Socio-Economic Distribution of Excess Mortality during the 1994 Genocide in Rwanda* (World Bank Policy Research Working Paper No. 4850, 2009), <https://openknowledge.worldbank.org/server/api/core/bitstreams/8a08d95a-9119-5c73-9f94-1dacd-3fc4a16/content>.
- Dana Zartner, “The Culture of Law: Understanding the Influence of Legal Tradition on Transitional Justice in Post-Conflict Societies,” *Indiana International and Comparative Law Review* 22, no. 2 (January 2012), <https://journals.indianapolis.iu.edu/index.php/iiclr/article/view/17864/17831>.
- Decree 1480 of 2014 (Colombia), August 5, 2014, <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=58874>.
- Department of Justice & Constitutional Development - Republic of South Africa, *National Action Plan to combat Racism, Racial Discrimination, Xenophobia and Related Intolerance* (Republic of South Africa, March 2019), https://www.gov.za/sites/default/files/gcis_document/201903/national-action-plan.pdf.
- Diane Orentlicher, Report of the Independent Expert to Update the Set of Principles to Combat Impunity, UN Commission on Human Rights, E/CN.4/2005/102, (February 18, 2005), <https://docs.un.org/en/E/CN.4/2005/102>.
- Donna Lee Bowen, Valerie M. Hudson, and Perpetua Lynne Nielsen, “State Fragility and Structural Gender Inequality in Family Law: An Empirical Investigation,” *Laws* 4, no. 4 (October 2015): 654–672, <https://doi.org/10.3390/laws4040654>.
- Doris Buss and Jerusa Ali, “Rwanda: Women’s Political Participation in Post-Conflict State-Building,” in *The Oxford Handbook of Gender and Conflict*, eds. Fionnuala Ní Aoláin, Naomi Cahn, Dina Francesca Haynes, Nahla Valji (Oxford: Oxford University Press, 2017), <https://doi.org/10.1093/oxfordhb/9780199300983.013.45>.
- Dyan Mazurana and Keith Proctor, “Gender, Conflict and Peace,” World Peace Foundation Occasional Paper (October 15, 2013): 4, <https://worldpeacefoundation.org/wp-content/uploads/2024/03/Gender-Conflict-and-Peace.pdf>.
- Elisabeth Prügl, “Gender as a Cause of Violent Conflict,” *International Affairs* 99, no. 5 (September 2023), <https://doi.org/10.1093/ia/iiaad184>.
- Equality Now, *Sexual Violence in Nepal: Legal and Other Barriers to Justice for Survivors* (April 2021), <https://equalitynow.org/wp-content/uploads/2021/04/Sexual-Violence-in-South-Asia-Legal-and-other-Barriers-to-Justice-for-Survivors-Equality-Now-2021-1.pdf>.
- Erik Melander, “Gender Equality and Intrastate Armed Conflict,” *International Studies Quarterly* 49, no. 4 (December 2005), <https://doi.org/10.1111/j.1468-2478.2005.00384.x>.
- Fabián Salvioli, Report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence, UN General Assembly, A/76/180, (July 19, 2021), <https://docs.un.org/en/A/76/180>.
- Fionnuala Ní Aoláin, “Advancing Feminist Positioning in the Field of Transitional Justice,” *International Journal of Transitional Justice* 6, no. 2 (July 2012), <https://doi.org/10.1093/ijtj/ijts013>.
- Fionnuala Ní Aoláin, “Transformative Gender Justice?” in *From Transitional to Transformative Justice*, eds. Paul Gready and Simon Robins (Cambridge: Cambridge University Press, 2019).
- Fionnuala Ní Aoláin, “Women, Security, and the Patriarchy of Internationalized Transitional Justice,” *Human Rights Quarterly* 31, no. 4 (November 2009), <https://www.jstor.org/stable/40389987>.
- Florian Bieber, “Introduction,” in *Understanding the War in Kosovo*, eds. Florian Bieber and Židas Daskalovski (London: Frank Cass, 2003), https://api.pageplace.de/preview/DT0400.9781135761554_A24932155/preview-9781135761554_A24932155.pdf.
- Forum for Women, Lead and Development and Himal Innovative Development & Research Pvt. Ltd., *Policy Brief: Nepal’s Gender-Based Violence and Gender Equality Funds: The Path to Effective Implementation* (2021), <https://nepal.un.org/sites/default/files/2021-06/np-the-path-to-effective-implementation-english.pdf>.

- Función Pública, *Informe sobre la Participación Efectiva de la Mujer en los Cargos de Niveles Decisorios en el Estado Colombiano* (Bogotá: Colombia Potencia de la Vida, December 2023), https://www1.fuccionpublica.gov.co/documents/418537/53329354/2023-12-27-Informe_ley_de_cuotas_2023.pdf/8c8bb2e3-ed7a-7f13-01b8-338caabfc580?t=1703820360096.
- Georgetown Institute for Women, Peace and Security, "Colombia (Conflict Tracker)", accessed September 23, 2025.
- Global Survivors Fund, International Center for Transitional Justice, Conflict Victims Women's National Network (CVWN), and Nagarik Awaz, *Reparations for Survivors of Conflict-Related Sexual Violence: Country Briefing Nepal* (2022), https://www.globalsurvivorsfund.org/fileadmin/uploads/gsf/Documents/Resources/Global_Reparation_Studies/GSF_Country_Sheet_Nepal_EN_June2022_WEB.pdf.
- Government of Liberia and the United Nations, "Fact Sheet: Combating Sexual and Gender Based Violence in Liberia" (February 25, 2024), https://reliefweb.int/sites/reliefweb.int/files/resources/3AE3B27002B-F12A24925760C002BCEB4-Full_Report.pdf.
- Government of Liberia, *An Act Establishing Criminal Court "E," Amending Title 17 of the Revised Code of Laws of Liberia* (2008), http://www.law.berkeley.edu/wp-content/uploads/2015/10/Liberia_Act-Establishing-Court-E.pdf.
- Government of Liberia, *Beijing+30 National Review Report: Liberia* (Monrovia: Government of Liberia, 2024), https://www.unwomen.org/sites/default/files/2024-09/b30_report_liberia_en_1.pdf.
- Government of Nepal, National Statistics Office, *National Population and Housing Census 2021* (Kathmandu: National Statistics Office, 2022).
- Government of Nepal, *The Second National Action Plan for the Implementation of United Nations Security Council Resolutions 1325 and 1820 (FY 2022/2023–2024/2025)* (Kathmandu, Nepal: Ministry of Home Affairs, 2022), <https://asiapacific.unwomen.org/sites/default/files/2023-11/np-english-nap-2023-s.pdf>.
- Government of Rwanda, "Gender Monitoring Office (GMO)," accessed March 12, 2023, <https://www.gmo.gov.rw/>.
- Government of Rwanda, Gender Monitoring Office, "Overview," *About GMO*, accessed February 3, 2026, <https://www.gmo.gov.rw/about-gmo/overview>.
- Gretchen Bauer and Hannah Britton, "Women in African Parliaments: A Continental Shift?," in *Women in African Parliaments* (Boulder: Lynne Rienner Publishers, 2006).
- Grupo de Trabajo Género en la Paz, *La Paz Avanza con las Mujeres: V Informe de Observaciones sobre los Avances en la Implementación del Enfoque de Género del Acuerdo de Paz* (GPAZ: June 2025), <https://generoy paz.co/informes/2025-V>.
- Hajaratu S. Bangura, "Young Women's Group Pushes for Strong Gender Provisions in New Constitution," *Government of Sierra Leone Ministry of Information and Civic Education*, January 28, 2026, <https://moice.gov.sl/young-womens-group-pushes-for-strong-gender-provisions-in-new-constitution>.
- Henri Myrntinen and Nicola Popovic, "We Were Like Caged Birds, This Gave Us Wings to Fly": *A Review of UN Women Programming on Gender-Sensitive Transitional Justice* (New York: UN Women, 2019).
- Hilde Katrine Haug, "Gender Equality and Inequality in Kosovo" in *Gender (In)Equality and Gender Politics in Southeastern Europe*, eds. Christine M. Hassenstab and Sabrina P. Ramet (London: Palgrave Macmillan, 2015), https://link.springer.com/chapter/10.1057/9781137449924_8.
- Himalayan News Service, "Citizenship Bill Not Inclusive," *The Himalayan Times*, July 2, 2020, <https://thehimalayantimes.com/nepal/citizenship-bill-not-inclusive>.
- Human Rights and Justice Centre, *The Impact of Enforced Disappearances on Women in Nepal* (2023), <https://hrjc.org.np/wp-content/uploads/2024/03/impact-of-ed-on-women-victims.pdf>.
- Human Rights Committee, *Fulmati Nyaya v. Nepal Government*, CCPR/C/125/D/2556/2015 (March 18, 2019), <https://documents.un.org/access.nsf/get?OpenAgent&DS=CCPR/C/125/D/2556/2015&Lang=E>.
- Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Nepal*, UN Doc. A/HRC/47/10 (March 30, 2021), <https://docs.un.org/A/HRC/47/10>.
- Human Rights Watch, "Nepal: 'Sexual Cleansing' Drive Continues," *Human Rights Watch*, March 18, 2006, <https://www.hrw.org/news/2006/03/18/nepal-sexual-cleansing-drive-continues>.

- Human Rights Watch, "Nepal: Impunity Reigns, Fueling New Rights Violations 16 Years Since Conflict Ended, No Accountability for Wartime or Ongoing Abuses," January 12, 2023, <https://www.hrw.org/news/2023/01/12/nepal-impunity-reigns-fueling-new-rights-violations>.
- Human Rights Watch, "Nepal: Maoists Should End Anti-Gay Violence," *Human Rights Watch*, April 16, 2007, <https://www.hrw.org/news/2007/04/16/nepal-maoists-should-end-anti-gay-violence>.
- Human Rights Watch, "Nepal: Police on 'Sexual Cleansing' Drive," *Human Rights Watch*, January 13, 2006, <https://www.hrw.org/news/2006/01/13/nepal-police-sexual-cleansing-drive>.
- Human Rights Watch, "We Have to Beg So Many People": *Human Rights Violations in Nepal's Legal Gender Recognition Practices* (2024), <https://www.hrw.org/report/2024/02/15/we-have-beg-so-many-people/human-rights-violations-nepals-legal-gender>.
- Human Rights Watch, *Between a Rock and a Hard Place: Civilians Struggle to Survive in Nepal's Civil War* (New York: Human Rights Watch, October 7, 2004), <https://www.hrw.org/sites/default/files/reports/nepal1004.pdf>.
- Human Rights Watch, *Silenced and Forgotten: Survivors of Nepal's Conflict-Era Sexual Violence* (September 2014), 1–4, <https://www.hrw.org/report/2014/09/23/silenced-and-forgotten/survivors-nepals-conflict-era-sexual-violence>.
- Human Trafficking and Transportation (Control) Act, 2007 (Nepal).
- Humanas Colombia, Sisma Mujer, and Red Nacional de Mujeres, "Las Mujeres en los Acuerdos de Paz" (September 2016), <https://www.sismamujer.org/wp-content/uploads/2021/08/Las-mujeres-en-los-acuerdos-de-paz.pdf>.
- Inter-American Commission on Human Rights, "IACHR: Colombian Truth Commission Report Will Support National Reconciliation Process," *Organization of American States*, July 12, 2022, https://www.oas.org/en/iachr/jsForm?File=/en/iachr/media_center/preleases/2022/154.asp.
- Inter-American Commission on Human Rights, Violence and Discrimination against Women in the Armed Conflict in Colombia, OEA/Ser.L/V/II. Doc. 67 (October 18, 2006), <https://cidh.oas.org/women/Colombia06eng/part3co.htm>.
- Inter-American Court on Human Rights, "Colombia es Responsable por el Exterminio del Partido Político Unión Patriótica," CP-09/2023, January 30, 2023, https://www.corteidh.or.cr/docs/comunicados/cp_09_2023.pdf.
- Interim Constitution of Nepal, 2007.
- International Center for Transitional Justice, "Colombia," Where We Work, accessed February 3, 2026, <https://www.ictj.org/where-we-work/colombia>.
- International Center for Transitional Justice, "Institutional Reform," accessed February 4, 2026, <https://www.ictj.org/institutional-reform>.
- International Center for Transitional Justice, *An Overview of Conflict in Colombia* (ICTJ, 2009), <https://www.ictj.org/sites/default/files/ICTJ-Colombia-Conflict-Facts-2009-English.pdf>.
- International Center for Transitional Justice, *Beyond Relief: Addressing the Rights and Needs of Nepal's Wives of the Disappeared* (2013), <https://www.ictj.org/sites/default/files/ICTJ-Briefing-Nepal-WivesofDisappeared-2013.pdf>.
- International Center for Transitional Justice and Advocacy Forum, *Across the Lines: The Impact of Nepal's Conflict on Women* (Kathmandu: International Center for Transitional Justice and Advocacy Forum, 2010), <https://www.ictj.org/sites/default/files/ICTJ-Nepal-Across-Lines-2010-English.pdf>.
- International Commission of Jurists, *Nepal: Transitional Justice Mechanisms with a Gender Perspective* (Geneva, Switzerland: International Commission of Jurists, 2021), <https://www.icj.org/wp-content/uploads/2021/05/Nepal-Transitional-Justice-Gender-Advocacy-Analysis-Brief-2021-ENG.pdf>.
- Inter-Parliamentary Union (IPU) Parline, "Monthly Ranking of Women in National Parliaments - Ranking of 1st February 2024," February 1, 2024, <https://data.ipu.org/women-ranking?month=2&year=2024>.

- Inter-Parliamentary Union, "History Made in Colombia with Gains in Diversity Led by Feminist Movements," February 27, 2023, <https://www.ipu.org/news/case-studies/2023-02/history-made-in-colombia-with-gains-in-diversity-led-feminist-movements>.
- IPU Parline, "Rwanda: Senate," February 5, 2026, https://data.ipu.org/node/142/data-on-women?chamber_id=13514.
- Iris Marion Young, "The Logic of Masculinist Protection: Reflections on the Current Security State," *Signs* 29, no. 1 (October 2005): 25–26, <https://doi.org/10.1093/0195-175344.003.0002>.
- Jacqueline Demeritt, Angela Nichols, and Eliza G. Kelly, "Female Participation and Civil War Relapse," *Civil Wars* 16, no. 3 (2014), <https://doi.org/10.1080/13698249.2014.966427>.
- Jamie J. Hagen et al., *Queering the Women, Peace and Security Agenda: A Practice-Based Toolkit* (Belfast, Ireland: Queen's University, 2023).
- José Alvarado Cóbar, "Inclusión Estratégica de la Sociedad Civil: Participación de Mujeres y Grupos LGBTI en el Proceso de Paz en Colombia," *SIPRI Background Paper* (November 2020), https://www.sipri.org/sites/default/files/2020-12/bp_2011_inclusion_in_colombia_peace_process_esp.pdf.
- Josefina Echavarría et al., *A Call to Action: Third Special Report on the Implementation Status of the Colombian Final Peace Accord's Ethnic Approach* (Kroc Institute: 2024), <https://doi.org/10.7274/26931988.v1>.
- Jose-Miguel Bello y Villarino, "Transitional Justice for Women: Acknowledge the Past, Fix the Present, Prevent Repetitions in the Future," *Alternative Law Journal* 45, no. 2 (June 2020), <https://doi.org/10.1177/1037969X19899769>.
- Julius Konton, "Liberia at a Crossroads: Female Lawyers Urge Swift Passage of Landmark Anti-FGM Law," *FrontPage Africa Online*, January 28, 2026, <https://frontpageafricaonline.com/gender-issues/liberia-at-a-crossroads-female-lawyers-urge-swift-passage-of-landmark-anti-fgm-law/>.
- Jurisdicción Especial para la Paz, "Caso 03: Asesinatos y Desapariciones Forzadas Presentados Como Bajas en Combate por Agentes del Estado," *Macrocasos*, December 3, 2025, <https://www.jep.gov.co/macro-casos/caso03.html>.
- Jurisdicción Especial para la Paz, "Caso 06: Genocidio contra el partido político Unión Patriótica," *Macrocasos*, December 9, 2025, <https://www.jep.gov.co/macro-casos/caso06.html>.
- Jurisdicción Especial para la Paz, "Caso 07: Reclutamiento y Utilización de Niñas y Niños en el Conflicto Armado," *Macrocasos*, November 12, 2025, <https://www.jep.gov.co/macrocasos/caso07.html>.
- Jurisdicción Especial para la Paz, "Caso 11: Violencia basada en Género, Sexual y Reproductiva, y Otros Crímenes por Prejuicio Basados en la Orientación Sexual, la Expresión y/o Identidad de Género Diversa," *Macrocasos*, September 5, 2025, <https://www.jep.gov.co/macrocasos/caso11.html>.
- Jurisdicción Especial para la Paz, "La JEP Reconoce a 104 Hombres como Víctimas de Violencia Sexual Durante el Conflicto Armado," *Sala de Prensa: Comunicado* 137, September 2, 2025, <https://www.jep.gov.co/Sala-de-Prensa/Paginas/la-jep-reconoce-a-104-hombres-como-victimas-de-violencia-sexual-durante-el-conflicto-armado.aspx>.
- Jurisdicción Especial para la Paz, Acuerdo 001 de 2020, <https://www.jep.gov.co/salaplnejep/Acuerdo%20ASP%20001%20de%202020.pdf>.
- Jurisdicción Especial para la Paz, Auto SRVNH-04/00-261 (Oct. 20, 2023), <https://www.jep.gov.co/Notificaciones/ESTADO%20No.%201260.2023%20SRVR%20CASO%2004%20SRVNH-0400-261.pdf>.
- Jurisdicción Especial para la Paz, Auto SRVR No. 104-2022 (August 30, 2022), https://relatoria.jep.gov.co/documentos/providencias/1/1/Auto_SRVR-104_30-agosto-2022.pdf.
- Jurisdicción Especial para la Paz, *Protocolo de articulación interjurisdiccional e intercultural* (Bogotá: JEP, 2019), <https://www.jep.gov.co/PlanAccion/Protocolo%20de%20articulación%20interjurisdiccional%20e%20intercultural.pdf>.
- Jurisdicción Especial para la Paz, Sentencia TP-SeRVR-RC-ST No. 001-2025 (September 16, 2025), https://relatoria.jep.gov.co/documentos/providencias/4/2/Sentencia_TP-SeRVR-RC-ST-001-2025_16-septiembre-2025.pdf.
- Kingsley Ighobor, "How We are Moving the Gender Agenda Forward in Sierra Leone," *UN Africa Renewal*, March 14, 2023, <https://allafrica.com/stories/202303150103.html>.

- Krista Billingsley, "Making Them Accountable: Victim-Activists' Critical Engagement with Truth Commissions in Nepal," *Journal of Human Rights Practice* 11, no. 1 (2019).
- KROC Institute, *Towards Implementation of Women's Rights in the Colombian Final Peace Accord: Progress, Opportunities and Challenges* (November 2020), <https://peaceaccords.nd.edu/wp-content/uploads/2020/11/Towards-Implementation-of-Womens-Rights-in-the-Colombian-Final-Peace-Accord-2.pdf>.
- Lauren Franco, "La Histórica Acreditación como Víctima de una Mujer Trans y su Hijo en la JEP," *Voces Francas*, February 28, 2025, <https://vocesfrancas.com/la-historica-acreditacion-como-victima-de-una-mujer-trans-y-su-hijo-en-la-jep/>.
- Law 1413 of 2010 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=40764>.
- Law 1496 of 2011 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=45267>.
- Law 1531 of 2012 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=47577>.
- Law 1719 of 2014 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=57716>.
- Law 1922 of 2018 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=87509>.
- Law 2358 of 2024 (Colombia), http://www.secretaria-senado.gov.co/senado/basedoc/ley_2358_2024.html.
- Law 294 of 1996 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=5387>.
- Law 575 of 2000 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=5372>.
- Law 581 of 2000 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=5367>.
- Law 731 of 2002 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=52105>.
- Law 823 of 2003 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=8787>.
- Law 975 of 2005 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=17161>.
- Law 1257 of 2008 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=34054>.
- Law 1448 of 2011 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=43043>.
- Law 1475 of 2011 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=43332>.
- Law 1480 de 2014 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=56926>.
- Law 1531 of 2012 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=47577>.
- Law 1618 of 2013 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=52081>.
- Law 1719 of 2014 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=57716>.
- Law 1752 of 2015 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=61858>.
- Law 1761 of 2015 (Colombia), http://www.secretaria-senado.gov.co/senado/basedoc/ley_1761_2015.html.
- Law 1788 of 2016 (Colombia), http://www.secretaria-senado.gov.co/senado/basedoc/ley_1788_2016.html.
- Law 1900 of 2018 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=86981>.
- Law 1922 of 2018 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=87509>.
- Law 1957 of 2019 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=94590>.
- Law 2114 of 2021 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=167967>.

- Law 2117 of 2021 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=168049>.
- Law 2126 of 2021 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=168066>.
- Law 2358 of 2024 (Colombia), http://www.secretaria-senado.gov.co/senado/basedoc/ley_2358_2024.html.
- Law 2424 of 2024 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=250896>.
- Law 2453 of 2025 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=259640>.
- Law 2462 of 2025 (Colombia), <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=260656>.
- Legal Aid Forum, *Fast Tracking Gender Equality in Law in Rwanda: Comprehensive Legal Analysis of Gender Compliance under Rwandan Law* (Kigali: Legal Aid Forum, 2021), <https://rwanda.un.org/en/138522-fast-tracking-gender-equality-law-rwanda-comprehensive-legal-analysis-gender-compliance>.
- Lisa Davis, "Third Party at the Table: Afro-Colombian Women's Struggle for Peace and Inclusion," *Columbia Human Rights Law Review* 4, no. 363 (January 2021), <https://hrjr.law.columbia.edu/hrjr-online/third-party-at-the-table-afro-colombian-womens-struggle-for-peace-and-inclusion/#post-1600-footnote-ref-1>.
- Louise Olsson and Erika Forsberg, "Gender Inequality and Internal Conflict," in *Oxford Research Encyclopedia of Politics* (Oxford: Oxford University Press, 2016).
- M. Caprioli, "Primed for Violence: The Role of Gender Inequality in Predicting Internal Conflict," *International Studies Quarterly* 49, no. 2 (June 2005): 161–178, <https://doi.org/10.1111/j.0020-8833.2005.00340.x>.
- M. Crenshaw and K. Robinson, "Revolutionary Armed Forces of Colombia," *Mapping Militant Organizations*, last modified June 1, 2019, <https://cisac.fsi.stanford.edu/mappingmilitants/profiles/revolutionary-armed-forces-colombia-farc>.
- Manuel Quinche Ramírez, *Derecho Constitucional Colombiano: La Carta de 1991 y Sus Reformas* (Bogotá: Editorial Universidad del Rosario, 2008).
- Maya Eichler, "Militarized Masculinities in International Relations," *The Brown Journal of World Affairs* 21, no. 1 (Fall/Winter 2014): 82–83, <https://www.jstor.org/stable/24591032>.
- Meenakshi Ganguly, "Nepal's Historic Achievement on Marriage Equality: Becomes the Second Country in Asia to Register Same Sex Marriage," *Human Rights Watch*, July 5, 2023, <https://www.hrw.org/news/2023/07/05/nepals-historic-achievement-marriage-equality>.
- Ministerio de Educación, "Las Mujeres Siguen Ganando Terreno en la Educación Superior en Colombia," *Government of Colombia*, March 10, 2025, <https://www.mineducacion.gov.co/portal/salaprensa/Comunicados/423751:Las-mujeres-siguen-ganando-terreno-en-la-educacion-superior-en-Colombia>.
- Mitini Nepal, National Parallel Report B + 25: Issues, Achievements, Gaps and Recommendations of LBTQ of Nepal (2019), <https://ngocsw.org/wp-content/uploads/2019/11/Nepal.pdf>.
- Nahla Valji, "Gender Justice and Reconciliation," *Centre for the Study of Violence and Reconciliation* (November 2007), https://www.sarpn.org/documents/d0002922/Gender_justice_FES_Nov2007.pdf.
- National Coalition for Gay and Lesbian Equality v Minister of Justice*, 1999 (1) SA 6 (CC).
- National Democratic Institute (NDI), "Sierra Leone: A Groundbreaking Gender Equality Bill Passes," *NDI*, February 1, 2023, <https://www.ndi.org/our-stories/sierra-leone-groundbreaking-gender-equality-bill-passes>.
- National Penal Code, 2017 (Nepal).
- Ndeye Sow, Charlotte Onslow, Swechchha Dahal, and Anthony Pemberton, *Breaking the Binary* (London: Transparency International, September 2022), <https://www.international-alert.org/app/uploads/2022/11/LGBT-Breaking-Binary-WPS-Nepal-Myanmar-EN-2022.pdf>.
- Nicole Cardinal, "Pursuing Law Reforms, Strategic Litigation and Legal Empowerment," in *SDG Accountability Handbook: A Practical Guide for Civil Society* (Transparency, Accountability and Participation Network, 2019), <https://sdgaccountability.org/sdg-accountability-handbook/>.
- Nina Chaparro González and Margarita Martínez Osorio, "Negociando Desde los Márgenes: La Participación Política de las Mujeres en los Procesos de Paz en Colombia (1982-2016)," *Ideas Para Construir la Paz*

- 29 (Dejusticia, 2016), <https://www.dejusticia.org/publication/negociando-desde-los-margenes-la-participacion-politica-de-las-mujeres-en-los-procesos-de-paz-de-colombia-1982-2016/>.
- OHCHR, "Ley de Ausencia es un Importante Avance para Víctimas de Desaparición Forzada y Sus Familiares: Oficina de la ONU para los Derechos Humanos," June 6, 2012, <https://www.hchr.org.co/comunicados/ley-de-ausencia-es-un-importante-avance-para-victimas-de-desaparicion-forzada-y-sus-familiares-oficina-de-la-onu-para-los-derechos-humanos/>.
- OHCHR, "Nepal: Türk Welcomes Adoption of Transitional Justice Law, Calls for Victim-Centred Implementation," August 22, 2024, <https://www.ohchr.org/en/press-releases/2024/08/nepal-turk-welcomes-adoption-transitional-justice-law-calls-victim-centred>.
- OHCHR, *Opening the Door to Equality: Access to Justice for Dalits in Nepal* (Kathmandu: OHCHR, 2011), https://nepal.ohchr.org/en/resources/Documents/English/reports/HCR/2011_12_07_Opening_the_Door_to_Equality_E.pdf.
- OHCHR, Report of the United Nations High Commissioner for Human Rights on the Human Rights Situation in Colombia, E/CN.4/2001/15 (February 8, 2001), <https://reliefweb.int/attachments/07ca0096-e4db-30fe-84f5-2a3a8f9e7e07/22D50AF666039F-99C1256A160042B6D1-unhchr-col-08feb.pdf>.
- OHCHR, *Technical Note on the Human Rights of Intersex People: Human Rights Standards and Good Practices* (November 3, 2023), <https://www.ohchr.org/sites/default/files/2023-11/ohchr-technical-note-rights-intersex-people.pdf>.
- OHCHR, *The Nepal Conflict Report* (Geneva: Office of the High Commissioner for Human Rights, 2012), https://www.ohchr.org/Documents/Countries/NP/OHCHR_Nepal_Conflict_Report2012.pdf.
- OHCHR, Transitional Justice and Economic, Social and Cultural Rights, HR/PUB/13/5 (January 2014), <https://www.ohchr.org/Documents/Publications/HR-PUB-13-05.pdf>.
- Oliver P. Richmond, Annika Björkdahl, and Gezim Visoka, eds., *Evaluating Transitional Justice: Accountability and Peacebuilding in Post-Conflict Sierra Leone* (London: Palgrave Macmillan, 2015).
- Outright International, "Colombia's Peace Tribunal Breaks New Ground on LGBTQ Persecution," *Insights*, October 2, 2023, <https://outrightinternational.org/insights/colombias-peace-tribunal-breaks-new-ground-lgbtq-persecution>.
- Pablo de Greiff, Report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence, UN Human Rights Council, A/HRC/30/42 (September 7, 2015), https://www.ohchr.org/sites/default/files/HRBodies/HRC/RegularSessions/Session30/Documents/A_HRC_30_42_ENG.DOCX.
- Pamela G. Poon et al., "Nepali Widows' Access to Legal Entitlements: A Human Rights Issue," *Human Rights Quarterly* 38, no. 2 (2016), <https://www.jstor.org/stable/24738056>.
- Parliament of Rwanda, "Women Representation", <https://www.parliament.gov.rw/women-representation>.
- Pascha Bueno-Hansen, "The Emerging LGBTI Rights Challenge to Transitional Justice in Latin America," *International Journal of Transitional Justice* 12, no. 1 (March 2018), <https://doi.org/10.1093/ijtj/ijx031>.
- Paula San Pedro, *Sexual Violence in Colombia: Instrument of War*, Oxfam Briefing Paper (September 9, 2009), <https://policy-practice.oxfam.org/resources/sexual-violence-in-colombia-instrument-of-war-114593/>.
- Peace A. Medie, "Fighting Gender-Based Violence: The Women's Movement and the Enforcement of Rape Law in Liberia," *African Affairs* 112, no. 448 (July 2013), <https://doi.org/10.1093/afraf/adt040>.
- Peace Uwineza and Elizabeth Pearson, *Sustaining Women's Gains in Rwanda: The Influence of Indigenous Culture and Post-Genocide Politics* (December 2009), www.inclusivesecurity.org/wp-content/uploads/2012/08/1923_sustaining_womens_gains_nocover.pdf.
- Petra Debusscher and Maria Martin De Almagro, "Post-Conflict Women's Movements in Turmoil: The Challenges of Success in Liberia in the 2005-Aftermath," *Journal of Modern African Studies* 54, no. 2 (June 2016), <https://doi.org/10.17863/CAM.39125>.
- Quy-Toan Do and Lakshmi Iyer, "Geography, Poverty and Conflict in Nepal," *Journal of Peace Research* 47, no. 6 (2010), <https://journals.sagepub.com/doi/10.1177/0022343310386175>.

- Rachana Shrestha et al., "Perceptions on Violence Against Women and Its Impacts on Mental Health and Response Mechanisms Among Community-Based Stakeholders: A Qualitative Study from Nepal," *BMC Women's Health* 24, no. 258 (April 2024), <https://doi.org/10.1186/s12905-024-03064-5>.
- Rajan Khatiwoda, Simon Cubelic, and Axel Michaels, eds., *The Mulukī Ain of 1854: Nepal's First Legal Code, Introduced, Translated, and Annotated* (Heidelberg: Heidelberg University Publishing, 2021).
- Rama Mani, "Dilemmas of Expanding Transitional Justice, or Forging the Nexus between Transitional Justice and Development," *International Journal of Transitional Justice* 2, no. 3 (November 2008), <https://doi.org/10.1093/ijtj/ijn030>.
- Ramona Vijayarasa, "Making the Law Work for Women: Standard-Setting Through a New Gender Legislative Index," *Alternative Law Journal* 44, no. 4 (December 2019), <https://doi.org/10.1177/1037969X19861751>.
- Rebecca Reingold, "An Obligation to Meet the Health Needs of Sexual Violence Survivors in Colombia, O'Neill Institute," *Georgetown Law*, December 24, 2015, <https://oneill.law.georgetown.edu/5257-2/>.
- Reporters Without Borders, "Nepal: King Imposes State of Emergency and Cuts Communications with Outside World," *ReliefWeb*, February 1, 2005, <https://reliefweb.int/report/nepal/nepal-king-imposes-state-emergency-and-cuts-communications-outside-world>.
- Republic of Rwanda, *Rwanda Demographic and Health Survey (2019-20)* (September 2021), <https://dhsprogram.com/pubs/pdf/FR370/FR370.pdf>.
- Rirhandu Mageza-Barthel, "Asserting Their Presence! Women's Quest for Transitional Justice in Post-Genocide Rwanda," in *Gender in Transitional Justice*, eds. Buckley-Zistel, Susanne & Ruth Stanley (Houndmills, Basingstoke, Hampshire: Palgrave Macmillan, 2012).
- Rodrigo Uprimny Yepes, "La Constitución de la Diversidad," *Dejusticia*, July 6, 2006, <https://www.dejusticia.org/la-constitucion-de-la-diversidad/>.
- Roosbelinda Cárdenas, "The Anti-Racist Horizon in Colombia's Peace Process" (Mar. 23, 2017), *NACLA*, <https://perma.cc/3364-HSMC>.
- Roshimi Goswami, Report on the Re-integration of Maoist Ex-Combatant Women (New York: UN Women, 2015), <https://wps.unwomen.org/pdf/research/ROSHMI.pdf>.
- Roslyn Warren et al., *Inclusive Justice: How Women Shape Transitional Justice in Tunisia and Colombia* (DC: Georgetown Institute for Women, Peace and Security, 2017), <https://giwps.georgetown.edu/wp-content/uploads/2017/08/Transitional-Justice.pdf>.
- Rwanda, Law 27/2021 of 10 June 2021 Governing Land, <https://www.informea.org/en/content/legislation/law-governing-land-law-no-272021>.
- Rwanda, Law 59/2008 of 10 September 2008 on the Prevention and Punishment of Gender-Based Violence, https://www.amategeko.gov.rw/view/toc/doc/3879/4053?utm_.
- Rwanda, Law 59/2023 of 4 December 2023 Modifying Law 68/2018 of 30 August 2018 Determining Offences and Penalties in General, https://www.amategeko.gov.rw/view/toc/doc/3879/4053?utm_.
- Rwanda, Law 68/2018 of 30 August 2018 Determining Offences and Penalties in General, <https://faolex.fao.org/docs/pdf/Rwa187909.pdf>.
- Rwanda, Law 71/2024 of 26 June 2024 Governing Persons and Family, <https://www.minijust.gov.rw/index.php?eID=dumpFile&t=f&f=111776&token=56e4f375f954407e4eaab1e8291441f2a71161ee>.
- Rwanda, Organic Law 12/2013/OL of 12 September 2013 on State Finances and Property, <https://rwandalii.org/akn/rw/act/ol/2013/12/eng@2013-11-05>.
- Shivani Mishra, "Equal Laws in Nepal Crucial for Ending Discrimination Against Women," *Human Rights Watch*, March 8, 2023, <https://www.hrw.org/news/2023/03/08/equal-laws-nepal-crucial-ending-discrimination-against-women>.
- Sierra Leone, The Gender Equality and Women's Empowerment Act, No. 23 of 2022, Part V (2022).
- Sirianne Dahlum and Tore Wig, "Peace above the Glass Ceiling: The Historical Relationship Between Female Political Empowerment and Civil Conflict," *International Studies Quarterly* 64, no. 4 (December 2020), <https://www.jstor.org/stable/48619404>.
- Sophia Ottoni-Wilhelm, "Recommended Amendments to the Truth and Reconciliation Act as the Government of Nepal Considers Prosecuting 65,411 Human Rights Cases from the Armed Conflict (1996–2006)," *Brooklyn Journal of International Law* 48, no. 1 (2022), <https://brooklynworks.brooklaw.edu/bjil/vol48/iss1/8/>.

- Steven L. Taylor, "Colombia: On the Brink of Peace with the FARC?," *Origins: Current Events in Historical Perspective*, August 2016, https://origins.osu.edu/article/colombia-brink-peace-farc?language_content_entity=en.
- Subeksha Poudel, "Stories of Peace Builders from Nepal's Armed Conflict," *UN Women Asia and the Pacific*, October 28, 2020, <https://asiapacific.unwomen.org/en/news-and-events/stories/2020/10/stories-of-peace-builders-from-nepals-armed-conflict>.
- Susanne Buckley-Zistel and Magdalena Zolkos, "Introduction: Gender in Transitional Justice," in *Gender in Transitional Justice*, eds. Susanne Buckley-Zistel & Ruth Stanley (Houndmills, Basingstoke, Hampshire: Palgrave Macmillan, 2012).
- Tafadzwa Pasipanodya, "A Deeper Justice: Economic and Social Justice as Transitional Justice in Nepal," *International Journal of Transitional Justice* 2, no. 3 (December 2008), <https://doi.org/10.1093/ijtj/ijn032>.
- Ted Piccone, *Peace with Justice: The Colombian Experience with Transitional Justice* (DC: Brookings, 2019), https://www.brookings.edu/wp-content/uploads/2019/06/FP_20190708_colombia.pdf.
- The Asia Foundation, *The State of Violence and Conflict in Asia–Nepal* (San Francisco: The Asia Foundation, October 2017), <https://asiafoundation.org/wp-content/uploads/2017/10/Nepal-StateofConflictandViolence.pdf>.
- The Humanitarian, "Sexual Minorities Face Police Brutality," *The New Humanitarian*, March 15, 2006, <https://www.thenewhumanitarian.org/news/2006/03/15/sexual-minorities-face-police-brutality>.
- The International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), "ILGA Database", accessed March 15, 2024, <https://database.ilga.org/south-africa-lgbti>.
- The Kathmandu Post*, "Citizenship Bill Eases Process, but Gender Bias Remains," editorial, July 9, 2025, <https://kathmandupost.com/national/2025/07/09/citizenship-bill-eases-process-but-gender-bias-remains>.
- The Right to Safe Motherhood and Reproductive Health Act, 2075* (2018), Nepal.
- Timothy Longman, "Rwanda: Achieving Equality or Serving an Authoritarian State?," in *Women in African Parliaments*, eds. Gretchen Bauer and Hanna E. Britton (Boulder: Lynne Rienner Publishers, 2006).
- Truth and Reconciliation Commission Act, 214 (Nepal).
- Truth and Reconciliation Commission Act, 214, Third Amendment (Nepal).
- Truth and Reconciliation Commission of Canada, *Calls to Action* (Winnipeg: Truth and Reconciliation Commission of Canada, 2015), https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/indigenous-people/aboriginal-peoples-documents/calls_to_action_english2.pdf.
- Truth and Reconciliation Commission of Sierra Leone, *Report of the Truth and Reconciliation Commission of Sierra Leone, vol. 2* (Freetown: Government of Sierra Leone, 2004), <https://atjhub.csvr.org.za/wp-content/uploads/2021/08/TRC-Final-Report-Volume-2.pdf>.
- Truth and Reconciliation Commission of South Africa, *Truth and Reconciliation Commission of South Africa Report, vol. 5* (Cape Town: Government of South Africa, 1998), <https://sahistory.org.za/archive/trc-final-report-volume-5>.
- UN Human Rights Council, "Report of the Special Rapporteur on Violence against Women, Its Causes and Consequences, Dubravka Šimonović," UN Doc. A/HRC/41/42/Add.2 (June 19, 2019).
- UN Office of the High Commissioner for Human Rights (OHCHR), Transitional Justice and Economic, Social and Cultural Rights, HR/PUB/13/5 (January 2014), <https://www.ohchr.org/Documents/Publications/HR-PUB-13-05.pdf>.
- UN Special Rapporteur on Violence against Women, *Its Causes and Consequences, Report of the Visit to Nepal* (June 19, 2019), <https://digitallibrary.un.org/record/3835022?ln=en&v=pdf>.
- UN Women and UNDP, *Women's Meaningful Participation in Transitional Justice: Advancing Gender Equality and Building Sustainable Peace* (New York: UN Women and UNDP, 2022), <https://www.unwomen.org/en/digital-library/publications/2022/03/research-paper-womens-meaningful-participation-in-transitional-justice>.
- UN Women, *Evidence to Action: Addressing Violence Against LGBTIQ+ People in Nepal*. (Kathmandu: UN Women, 2023), <https://asiapacific.unwomen.org/en/digital-library/publications/2023/06/evidence-to-action>.

- UN Women, "ONU Mujeres Acompañó la Presentación del Fondo No es Hora de Callar para Periodistas," September 9, 2024, <https://colombia.unwomen.org/es/stories/noticia/2024/09/onu-mujeres-acompano-la-presentacion-del-fondo-no-es-hora-de-callar-para-periodistas>.
- UN Women, "Revisiting Rwanda Five Years after Record-Breaking Parliamentary Elections," August 13, 2018, <https://www.unwomen.org/en/news/stories/2018/8/feature-rwanda-women-in-parliament>.
- UN Women, "Signaling a Boost for Gender Equality, Liberia Passes the 'Affirmative Action Bill'," October 3, 2016, <https://www.unwomen.org/en/news/stories/2016/10/liberia-passes-the-affirmative-action-bill>.
- UN Women, "The Peace Deal that Put Women First: What Colombia Taught the World," *UN Women*, July 10, 2025, <https://www.unwomen.org/es/noticias/reportaje/2025/07/el-acuerdo-de-paz-que-puso-a-las-mujeres-primero-lo-que-colombia-le-enseno-al-mundo>.
- UN Women, *3000 Voces por la Democracia: Experiencias de Candidatas en Colombia para Erradicar la Violencia Contra las Mujeres en Política* (Bogotá: UN Women, 2025), 20, <https://colombia.unwomen.org/es/digital-library/publications/2025/10/estudio-de-violencia-contra-mujeres-en-politica>.
- UN Women, *Country Gender Equality Profile: Nepal* (Kathmandu: UN Women, 2023), <https://asiapacific.unwomen.org/en/digital-library/publications/2023/07/nepal-country-gender-equality-profile>.
- UN Women, *Evidence to Action: Addressing Violence Against LGBTIQ+ People in Nepal* (June 2023), https://un.org.np/sites/default/files/doc_publication/2023-06/LGBTIQ%20Study%20Report-Final-web%20version-11%20June%202023%20evening.pdf.
- UN Women, *LGBTIQ+ Equality and Rights: Internal Resource Guide* (New York: UN Women, 2022), <https://www.unwomen.org/en/digital-library/publications/2022/06/lgbtiq-equality-and-rights-internal-resource-guide>.
- UN Women, *Mujeres y Hombres: Brechas de Género en Colombia* (Bogotá: UN Women, 2022), <https://colombia.unwomen.org/es/digital-library/publications/2022/11/mujeres-y-hombres-brechas-de-genero-2022>.
- UN Women, *The CEDAW-based Legal Review: A Brief Guide* (Kyiv: UN Women, 2019), https://eca.unwomen.org/en/digital-library/publications/2019/04/the-cedaw-based-legal-review-a-brief-guide_europe.
- UN Women, *The Crucial Role of Legal Frameworks in Advancing Gender Equality* (New York: UN Women, 2024), <https://www.unwomen.org/sites/default/files/2024-03/infographic-the-crucial-role-of-legal-frameworks-in-advancing-gender-equality-en.pdf>.
- UN Women, *Violencia Política Contra las Mujeres: Esto Dice la Ley* (Bogotá: UN Women, 2025), <https://colombia.unwomen.org/es/digital-library/publications/2025/10/violencia-contra-las-mujeres-en-politica-esto-dice-la-ley-en-colombia>.
- UNFPA–UNICEF Global Programme to End Child Marriage, *Country Profile Report: Nepal, 2022* (2022), https://www.unicef.org/media/146321/file/Nepal_2022.pdf.
- Unidad de Búsqueda de Personas Dadas por Desaparecidas en el Contexto y en Razón del Conflicto Armado (UBPD), *Lineamientos del Enfoque de Género para las Mujeres y las Niñas en el Proceso de Búsqueda de Personas Dadas por Desaparecidas* (Bogotá: UBPD, December 2023), <https://unidad-busqueda.gov.co/wp-content/uploads/2023/12/Lineamientos-del-enfoque-de-genero-para-las-mujeres-y-las-ninas-en-el-proceso-de-busqueda-de-personas-dadas-por-desaparecidas.pdf>.
- Unidad de Búsqueda de Personas dadas por Desaparecidas, "Resumen Ejecutivo: Lineamientos del Enfoque de Género para las Mujeres y las Niñas en el Proceso de la Búsqueda de Personas dadas por Desaparecidas," December 2023, <https://unidad-busqueda.gov.co/wp-content/uploads/2023/12/Lineamientos-del-enfoque-de-genero-para-las-mujeres-y-las-ninas-en-el-proceso-de-busqueda-de-personas-dadas-por-desaparecidas.pdf>.
- Unidad de Búsqueda de Personas dadas por Desaparecidas, *Así Avanzamos: Informe de Gestión y Resultados 2024* (UBPD: February 2025), <https://unidadbusqueda.gov.co/wp-content/uploads/2025/02/Informe-de-Resultados-y-Gestion-2024.pdf>.
- Unidad de Implementación del Acuerdo de Paz, "Reseña del Acuerdo," *Portal para la Paz*, accessed February 3, 2026, <https://portalparalapaz.gov.co/resena-del-acuerdo>.

- Unidad para las Víctimas, “Registro Único de Víctimas,” *Datos para la Paz*, accessed February 3, 2026, <https://datospaz.unidadvictimas.gov.co/registro-unico-de-victimas/>.
- United Nations Codification Division, *Book 24: National Laws and Regulations on the Prevention and Suppression of International Terrorism, II:56–58. M–Z, LXXIX Nepal* (New York: UN Codification Division Publications, 2005).
- United Nations Development Programme and United States Agency for International Development, *Being LGBT in Asia: Nepal Country Report* (Bangkok: UNDP and USAID, 2014), https://files.acquia.undp.org/public/migration/asia_pacific_rbap/rbap-hhd-2014-blia-nepal-country-report_0.pdf.
- United Nations Development Programme, “Human Development Reports: Gender Inequality Index (GII),” accessed December 18, 2025, <https://hdr.undp.org/data-center/thematic-composite-indices/gender-inequality-index#/indices/GII>.
- United Nations General Assembly, Resolution 60/147, Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, A/RES/60/147 (March 21, 2006), <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-and-guidelines-right-remedy-and-reparation>.
- United Nations Rwanda, “Rwanda’s Holistic Approach to Tackling the Different Faces of Gender-Based Violence (GBV),” August 30, 2019, <https://rwanda.un.org/en/15872-rwandas-holistic-approach-tackling-different-faces-gender-based-violence-gbv>.
- United Nations Rwanda, “Rwanda’s Holistic Approach to Tackling the Different Faces of Gender-Based Violence (GBV),” August 30, 2019, <https://rwanda.un.org/en/15872-rwandas-holistic-approach-tackling-different-faces-gender-based-violence-gbv>.
- United Nations Secretary-General, Conflict-Related Sexual Violence: Report of the United Nations Secretary-General, UN Doc. S/2020/487 (June 3, 2020).
- United Nations Secretary-General, Conflict-Related Sexual Violence, UN Doc. S/2025/389 (July 15, 2025), <https://docs.un.org/en/S/2025/389>.
- United Nations Secretary-General, Guidance Note of the Secretary-General: Transitional Justice – A Strategic Tool for People, Prevention and Peace (New York: United Nations, 2023).
- United Nations, Office of the United Nations High Commissioner for Human Rights, “Committee on the Elimination of Discrimination against Women Examines the Situation of Women’s Rights in Colombia,” *OHCHR*, February 19, 2019, <https://www.ohchr.org/en/press-releases/2019/02/committee-elimination-discrimination-against-women-examines-situation-womens>.
- United Nations, Office of the United Nations High Commissioner for Human Rights, “High Commissioner for Human Rights Expresses Concern Over Developments in Nepal,” press release, OHCHR, February 1, 2005, <https://www.ohchr.org/en/press-releases/2009/10/high-commissioner-human-rights-expresses-concern-over-developments-nepal>.
- Valerie Oosterveld, “Sexual and Gender-Based Violence in Post-Conflict Sierra Leone: The Contribution of Transitional Justice Mechanisms to Domestic Law Reform,” in *Evaluating Transitional Justice: Accountability and Peacebuilding in Post-Conflict Sierra Leone*, eds. Oliver P. Richmond, Annika Björkdahl, and Gezim Visoka (London: Palgrave Macmillan, 2015), https://doi.org/10.1057/9781137468222_7.
- Vasuki Nesiah et al., *Truth Commissions and Gender: Principles, Policies, and Procedures* (New York: International Center for Transitional Justice, 2006).
- Wendy Lambourne and Vivianna Rodriguez Carreon, “Engendering Transitional Justice: A Transformative Approach to Building Peace and Attaining Human Rights for Women,” *Human Rights Review* 17, no. 1 (March 2016), <https://doi.org/10.1007/s12142-015-0376-0>.
- Williams Institute, *Surveying Nepal’s Sexual and Gender Minorities* (Bangkok: UN Development Programme, 2014), <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Nepal-SGM-Mar-2014.pdf>.
- Wim Voermans, Hans-Martien ten Napel, and Reijer Passchier, “Combining Efficiency and Transparency in Legislative Processes,” *Theory and Practice of Legislation* 3, no. 3 (2015), <https://doi.org/10.1080/20508840.2015.1133398>.

Wonchul Shin, "Mama, Keep Walking for Peace and Justice: Gender Violence and Liberian Mothers' Interreligious Peace Movement," *Religions* 11, no. 7 (June 2020), <https://www.mdpi.com/2077-1444/11/7/323>.

World Economic Forum, *The Global Gender Gap Report 2006* (Geneva: World Economic Forum, 2006), https://www3.weforum.org/docs/WEF_GenderGap_Report_2006.pdf.

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