

WE WHO FEEL DIFFERENTLY INTERVIEWS

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An Interview with Virgilio Barco

March 22, 2010

Virgilio Barco's house in Bogotá, Colombia

Virgilio Barco: My name is Virgilio Barco. At present I am the executive director of "Invest in Bogotá", which is an agency for the promotion of investment based in Bogotá. It is an initiative of the Chamber of Commerce and the District. Six years ago, together with four other persons I founded *Colombia Diversa*, and currently my work with that organization is restrained to supporting fundraising.

Carlos Motta: Can you tell me about the process of foundation of *Colombia Diversa*?

VB: Seven years ago I was associated with a bill promoted by senator Piedad Córdoba, which was shelved by the Senate. Piedad is a very brave person who took up this flag, and although she had made some consultations with the LGBT community, she did not have a strategy to achieve a well-defined goal. From the outset we noticed there were two organizational models: one was that of very large associations which have specific objectives, and the other was the model of the human rights NGOs that address different issues. We did not pretend to represent the LGBT community in any way; what we wanted was to improve the political, legal and cultural environment for that community. We opted for the human rights NGOs's model. I contributed my training in management and strategic planning and we devised a strategic plan for the first five years; we have just adjusted it for the following five years; we have set ourselves new goals. What we observed was that it was necessary to improve the LGBT community's human rights situation and its legal protection. There were several strategies to achieve this goal: one was to document the situation of that population, which is scantily documented. Part of the work of *Colombia Diversa* is to draft the reports on human rights and carry out research with entities in different parts of the country. The documentation task is very important, it is the basis for all the rest. We carried out the first analysis of the legal situation of LGBT persons, of same sex couples, of violations of human rights. A report is produced every 18 months.

Colombia Diversa became a very important referent for any governmental, non-governmental or multilateral organization wishing to understand what is happening in relation to this issue. The second strategy to achieve the aim of improving the LGBT's human rights and protection situation was a legal one. Our first goal was to achieve rights for couples in three issues: property rights, social security, and pensions. What we wanted to do initially was to put on an equal level the regime of permanent partners, which exists in Colombia since 1990, and that of same sex partners. This implied two different strategies: a legal one, the preparation of a series of lawsuits that

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were filed to the Constitutional Court, in association with the University of Los Andes and a number of allies, and on the other hand, the promotion of a bill. That latter strategy failed, but the one that involved the Court did achieve its aim, and as of the past year, the regime for same sex couples is on a par with that of permanent partners. The second objective was complementary and necessary for the achievement of the first, and it involved transforming society's negative imaginaries concerning LGBT persons. This implied basically two tasks: one, a follow-up of the media. We found out that in Colombia the media, with very few exceptions, are allies, but they are badly informed, they have little knowledge of the issue, and consequently, this bad information or these prejudices are present in the news. We carry out an observation task, we are continually checking what comes out in the news, and when we notice a treatment we do not consider adequate, we write to the journalist very respectfully. If the situation is repeated, we speak to the director of the medium, or in some cases, we issue a complaint. In general terms we have found that the media have been very favorable. Apart from this we devised a very well thought out strategy to get the issue out of the closet; we planned a series of interviews that appeared in the course of three years and that somehow paved the way for the Court's rulings.

The third objective was to improve the political organization of the LGBT community, or at least insert the issue in the country's politics. Our work has been to make sure that the issue be a subject of debate during elections; we inform the candidates, we make sure that the issue is addressed during electoral campaigns and we implement a follow-up of the positions of all the candidates. We publish informative newsletters for voters. In the last presidential elections, all the candidates to the presidency supported the three rights I mentioned. Until the foundation of *Colombia Diversa*, activism within the LGBT community had revolved around some very brave and pioneering persons like Germán Rincón and Manuel Velandia. We realized that it is very difficult to sustain this kind of work without the support of a professional organization, hence our decision to create an organization with a professional team, with an extremely qualified director and a remunerated professional team that follows the strategic plan. We created a system of support committees: one in the area of media and communications, which helped us develop all the media strategy; a legal committee, which has developed the legal strategy, and a finance committee. These committees are composed of extremely qualified persons. well known in their different fields of expertise. This level of organization, of clarification and professionalism is quite unusual. We do not see any organization like this one in Latin America. An annual report is published every year; it includes financial statements and a management report that is extremely transparent and very sound.

CM: For an outside observer, one of the most important achievements appears to be that of interfering with the power structures.

VB: Our work is focused exclusively on macro aspects. To reach the media in order to exert an influence on perceptions; to reach Congress and the Constitutional Court directly and be present in electoral campaigns. We found an enormous receptivity in the media, we made several introductory visits and they asked us: How can we support you for your strategy to be successful?

In Colombia there is the possibility to file a lawsuit directly; in the United States this cannot be done, you have to go through the judiciary system, a judge has to accept the lawsuit; here any citizen can go to the Constitutional Court directly. In this sense, it is

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different from other organizations in Colombia and to other groups that do not have the access to power that we have. We have made many alliances; *Colombia Diversa* participates in different human rights networks, in women and other minorities' networks; it requests support and it also supports other groups and other causes in their activities.

CM: In the past twenty years there seem to have been a series of political and social changes in Colombia that made the development of these kinds of organizations possible...

VB: There is something that does not exist in other parts of the world: the 1991 Constitution and the Constitutional Court, which paved the way for all these changes in the legal framework. Without them it would have been impossible; every attempt to have the bills approved by Congress or by selected bodies, such as the Council, would have been a failure. But this is a two-way process; in fact, the changes in the legal framework are the result of social changes and of pressure from the social bases. This happens in Colombia, and the reverse process also occurs, namely, the legal changes begin to modify the social conditions. The Constitutional Court probably went far beyond what was acceptable for most people, and by legitimizing all these rights and these aspirations, it transformed perceptions and opened up possibilities for social change.

CM: Could you summarize *Colombia Diversa's* theoretical interests in relation to what may be the definition of a diverse sexuality and the way in which you have used these to create a program for a political strategy?

VB: This is completely outside my area of expertise. What is interesting about *Colombia Diversa* is that it is really a collective endeavor; some 30 or 40 people participate actively and many volunteers support it in a less direct way. Some are academicians and contribute their support from that perspective. My contribution to the organization was helping to create the organizational structure that has enabled all these different people to cooperate.

CM: Based on your personal experience, being the son of a former president, and having a more public profile, do you think your privileged position contributes to the success of the organization?

VB: Of course. It is my most important contribution to the organization. I am not interested in being center stage; as a matter of fact, I don't like to appear in the media, but I was ready to use the possibilities derived from being the son of a former president in favor of this cause. Together with the Communications Committee we thoroughly analyzed what the messages we wanted to convey were and a careful script that Marcela and I abided by was drafted. The utilization of my status was not the utilization of my ideas. At the beginning, when it was very difficult for such a small organization to be in the media, I did the first interviews on the first approaches, and that obviously aroused great interest, because society is morbidly curious; but I did it for very altruistic reasons. In our Board of Directors there are many persons who also have access to the media, to politicians, to opinion leaders; I had, perhaps, a little more visibility with regard to the media, but each one makes his or her contribution from his or her own perspective. We have a group of persons, academicians from the University of Los Andes, whose support for the success of the lawsuits was crucial, and that was thanks

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to the connections some people in *Colombia Diversa* had with that university and with the National University.

CM: I find it surprising that both you and Marcela Sánchez, the director of *Colombia Diversa*, have declared that it is an organization that does not pretend to represent anyone. But in one way or another, the impact of your task involves representation. Could you elaborate on this stance?

VB: Yes, I can. We do not speak on behalf of the LGBT collective, we are nobody's spokespersons. We are an NGO like any other, like the *Colombian Commission of Jurists* or *Natura*, which work in favor of human rights or of the protection of the environment and have some very specific objectives.

CM: However, as a result of the excellent work you have carried out and the visibility you have achieved, *Colombia Diversa* has become "THE" LGBT organization in Colombia. Some people suggest critiques that may arise in relation to the perspectives that guide this work. I would like to ask you if you can refer to some of these critiques, particularly the one that affirms that *Colombia Diversa* defends an upper-middle-class vision aimed at that same sector. What is *Colombia Diversa's* position with regard to Colombia's very fragmented and demarcated class structure?

VB: More than "THE" LGBT organization in Colombia, *Colombia Diversa* has become a very important referent because it has had great success and great visibility, and the fact that an organization achieves such success and visibility creates malaise, because there are people who have been working on these issues for a much longer time. Marcela is an activist, she is probably the first lesbian activist; she is a supremely well-known person, but let us agree that the noise and the impact associated to *Colombia Diversa* is far greater than that of any other group. It is very understandable that this should create malaise. The way in which Marcela handles this is very professional, transparent, explaining what we are doing and participating in all the networks of LGBT organizations.

As to whether we represent some class interests, our objectives are extremely general; the first of them is to improve the human rights and legal protection conditions, which implies documentation work. In fact, the most vulnerable group in Colombia due to its visibility is the transvestite and transgender group, and a large part of the documentation is focused on this group. I don't think anyone can say there is a particular class interest. In aspects related to legal protection, the rights chosen were very general ones, which concern in a very direct way all persons, all same sex couples, and perhaps they are more relevant for an urban population, but Colombia is a country in which 70% of the population is urban. This probably affects in the first place a middle or upper class population that has the possibilities, but we had to start with something and that was very important. The main beneficiaries of our work are urban persons, and probably, persons with a certain level of income. There is, however, a very important effect that reaches all social classes when a protection framework is achieved, when things are documented, when the imaginaries are finally transformed and a better political organization of the LGBT community is attained.

CM: I would like to know, now that there have been so many achievements, what follows in the agenda.

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VB: A lot has been achieved, but it is merely a first step, for there is a very big gap between the regulations and their implementation. Government officials and judges ignore the regulations, the very people who have been benefitted by these rights ignore them. There is a very intense pedagogical work focused on the population. The aim is to provide information on the permanent partners regime, which is extremely complex and not even heterosexual persons understand it. Explaining rights will take a long time, but it is very important because otherwise people may be the victims of abuse.

As for rights, there are two issues that are still pending: marriage and adoption. We have decided they will not be included among our initial objectives because we believe in trying to encompass something less ambitious and more viable. Marriage is a difficult issue because there is a constitutional definition of what marriage is and this would require modifying the Constitution. As regards adoption, if the Court is consistent with what it has declared until now, there is no reason to deny same sex couples the right to adopt. There is another task we consider very important, and it is combatting homophobia in schools. There are 600,000 students in the Colombian public education system; we have to seek creative strategies, forming alliances with other organizations in order to achieve something in this area.

CM: What is your relationship, as an organization, with the State and with the Catholic Church? Do you have any type of rapprochement or negotiation?

VB: It is impossible to speak with the Church, and with Christians all the more so. We do have a dialogue with the State, we work to have an incidence on policies, to obtain training for Government officials. We also document abuses on the part of the police and of State institutions. We seek allies within the State in order to achieve a public agenda.

CM: It seems to me it is paradoxical that all these changes should have taken place during the Uribe administration...

VB: Everything that has happened has happened in spite of the Executive power. There are some government officials in some of the ministries who have supported us, but there has been very little support on the part of the State. Quite on the contrary, there has been overt opposition in many instances. The Executive had no way of inciding upon the Court's decisions.

CM: What could change in the event that any of the present candidates should manifest himself publicly in relation to these issues? What would you be able to achieve that has not yet been achieved?

VB: Two things: there is a very important pedagogical work to be carried out by the State that involves teachers; that is the most important thing, in my opinion. To train and sensitize public officials and that they observe the law, that they enforce the law. But obviously in a country like Colombia, which has so many problems, this is not a priority for any ruler.

CM: I feel that the processes of visibilization and acquisition of rights and citizen equality from the LGBT perspective are formidable and completely necessary. But, on the other hand, I consider there are some normalization processes that eliminate the difference that I deem essential. I mean, even if I were able to get married and adopt, I

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would never think I am a “normal” or “not different” person, that is something that constitutes my identity.

VB: I share that approach. I do not want to get married, either, but I believe I must have the right to get married. Our task is to put everyone’s rights, everyone’s opportunities on the same level, but we do not want to have a homogeneous society in which there are no differences.

CM: Society responds to binary gender systems and to patriarchal hegemony; in this case there is a response in terms of that structure; legal frameworks are created, legislation is implemented, everything is pushed forward based on that terminology. I wonder whether at some moment *Colombia Diversa* has thought about or conceptualized *queer* power to introduce in the agenda a more heterogeneous thinking in relation to sexual diversity and gender identities.

VB: Yes, there have been discussions in this respect, but I do not like to talk about issues that escape my area.

CM: Thank you!