

La deuda histórica con las mujeres rurales. La discriminación e inequidad por razón de género en el sector campesino

The historical debt with rural women. Gender discrimination and inequality in the peasant sector

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RESUMEN

Palabras clave:

Derecho fundamental, efectividad social, equidad de género, mujer rural, política pública, ordenamiento, tenencia de la tierra.

En el presente artículo se describirán los resultados de una investigación hermenéutica y sociojurídica, con la cual se buscó analizar la efectividad y los objetivos de las distintas políticas de inclusión adoptadas por Colombia en el marco del problema de la discriminación que ha sufrido la mujer campesina a lo largo de la historia. Para lograr esta finalidad se usó una metodología analítica, documental y de acción participativa donde se conformó un estado del arte con más de 150 fuentes bibliográficas, se realizó trabajo de campo con comunidades rurales y se recaudó información oficial mediante 110 derechos de petición enviados a distintas entidades estatales. De esta manera, los resultados enmarcan una baja efectividad de las políticas de inclusión, y establecen el estado actual de la mujer rural previendo los principales retos estatales para afrontar el problema planteado.

ABSTRACT

Keywords:

Fundamental right, social effectiveness, gender equity, rural women, public policy, planning, land tenure.

This article will describe the results of a hermeneutic and socio-legal research, which sought to analyze the effectiveness and the aims of the different inclusion policies adopted by Colombia in the context of the problem of discrimination suffered by rural women throughout history. To achieve this purpose, an analytical, documentary, and participative action methodology was used, where a state-of-the-art was formed with more than 150 bibliographic sources, fieldwork was carried out with rural communities and official information was collected through 110 rights of the petition sent to different state entities. In this way, the results frame a low effectiveness of inclusion policies, and establish the current state of rural women, foreseeing the main state challenges to face the problem posed.

1. Introduction

Throughout history, rural women in Colombia have suffered from historical neglect by the State. For decades, inequality, discrimination, and the social gap based on gender have been against rural women; over the years they have had to face problems such as lack of autonomy, labor informality, low and difficult access to land ownership, credit, education, and technical assistance.

For this reason, and due to the apparent discrimination against rural women, the international community and Colombian legislators have been trying for the last 43 years to enact legal norms and policies of inclusion to reduce the inequality gap and grant the same opportunities as men enjoy.

The first legal precedent can be seen at the international level at the end of the 70s when the United Nations (1979) issued the

“Convention on the Elimination of All Forms of Discrimination against Women” as a legal mechanism that sought equal rights and respect for the human dignity of women.

Subsequently, to strictly comply with the provisions of this international document, a set of legal norms was issued to solve the problem described. However, today, 43 years after this convention, the statistics show that the problem persists and that the reduction of the inequality gap has been minimal in the main factors affecting rural women, such as access to means of production, education, and work.

This document will list and analyze some of the obstacles that have not allowed the consolidation of the aims related to the elimination of all forms of discrimination against women, in particular, it will attempt to formulate a typology of the central factors that must be overcome in order to improve the indicators

of gender equity policies in rural areas.

1.1 Question problem and methodology

The research project that encompasses the development of this article posed the following problem question: What has been the level of effectiveness of the objectives, goals, and inclusion guidelines adopted by Colombia in favor of rural women during the period 2002-2022? In this way, and in order to propose some answers to this question, the research was developed through the analytical method, since it sought to identify and study separately the inclusion guidelines during the stipulated period, and critical comparisons were made between the data and the policy aim.

In this order of ideas, the investigation had two structural moments, the first phase corresponds to the operations of documentary collection and file systematization where detailed information was collected for each of the inclusion strategies. The second phase is characterized by following the guidelines of participatory action research (PAR) in which fieldwork was carried out with communities of rural women in Tolima, Meta, and Boyacá to understand their experiences and have criteria from an internal perspective.

1.2 Theoretical framework and background

Studies on the gender approach are relatively recent in the agrarian reform system, although discrimination, as a sociological phenomenon, is structural and has an extensive bibliography. However, there are almost no academic products on the problem that this research intends to address since no investigation was found that reflected a thorough review of rural women's policies, where the level of compliance, achievements, and scope of each one of them is described. However, Hernández (2018) in her graduate work called "Promises (un)fulfilled, Rural Women and gender equality approach in Colombia" provides an important background, in chapter 7. 3 called "The promised norm (2002 - 2015)" classifies the four cores of Law 731 of 2002 and its subcomponents, stating that: "Its aims were structured on four axes: access to means of production; the expansion of women's participation in decision-making bodies; access to social welfare services; and the creation of mechanisms for information collection and monitoring with a gender perspective" (Hernández, 2018, p.75). Despite this progress, Hernández (2018) did not conduct an annual follow-up of each of these policies, as within his document he states that "the development of evaluations on the progress of the law during the 2002-2015 period is practically nonexistent" (p.77).

2. Reflection and development of the problem

2.1 An approach to the discrimination suffered by rural women in Colombia.

According to the UNDP (United Nations Development Program) rural women suffer three forms of discrimination that have a disproportionate impact on their lives: 1) for living in the countryside, 2) for being women, and 3) for being victims of violence.:

The first case refers to the rural debt that arises from the fact that rural inhabitants are discriminated against by those of the urban world. The second refers to the gender debt; this has its

origin in the traditional inequity between opportunities and the differentiated social valuation between men and women in today's society. The last form of discrimination refers to the greater vulnerability to which women are exposed as victims of violence, both in the family environment and in armed conflict." (PNUD, 2011, p.133).

Concerning to rural debt, it should be noted that this form of discrimination is shared by men and women and has its origin in a geographical factor: living in the countryside, since living conditions, access to basic services, labor insertion, and the material effectiveness of rights continue to be precarious in rural areas. This is why, statistically, the percentage of people in the countryside below the multidimensional poverty line has been much higher than that of the urban population (DANE, 2022).

According to UNDP (2011), inequalities between urban and rural dwellers result in restricted citizenship generated by political, social, and cultural exclusion. From this, it is considered that although the laws indeed recognize peasants as full citizens, in practice, they are not, as they face multiple difficulties in guaranteeing the effectiveness of their rights (C-077 de 2017).

Secondly, gender debt is related to living in a context where a patriarchal mentality predominates (Bourdieu, 1998), which generates multiple problems such as economic dependence on the part of women, unpaid income for women's work, low political participation on the part of women, among others (DANE, 2020). According to Tenjo, Bernal, and Uribe (2007), since there have been data and statistical measurements in Colombia, female poverty rates have always been consistently higher than male poverty rates.

Finally, the factor referring to the violence to which the female gender is exposed is emphasized in the violence caused within the framework of the Colombian armed conflict that has a history of more than 50 years, according to the most recent report of the Victims Unit (2022) the majority of recognized victims are women, which causes negative repercussions and generates deep sequels that are difficult to face, especially when there is no timely assistance that allows for recovery and full rehabilitation (PNUD, 2011).

Having explained the 3 forms of discrimination against rural women and understanding that the construction of a democratic and inclusive society requires the strengthening of the social fabric based on a framework of coexistence that promotes the recognition of diversity, inclusion, and the effective enjoyment of the rights of all citizens, it is evident that the strategies designed and implemented to date have been ineffective, and therefore it is necessary to analyze the restrictions in reducing the gaps in access to rights and gender, vindicating the decisive role of rural women (Ruiz in EuroSocial, 2020).

2.2 Instrumental and legal designs for rural women

In the international community and Colombia, the concern for vindicating the rights of rural women is relatively recent, for 43 years ago legal norms began to be issued to provide a solution to

the problems described, therefore, this section will describe the main legal instruments that have addressed the problem of the gender approach in rural areas.

2.2.1 *The Convention on the Elimination of All Forms of Discrimination Against Women (1979) and its approving act.*

This legal instrument was adopted by the United Nations General Assembly in 1979 as a legal mechanism seeking equal rights and respect for the human dignity of women. This document, approved in Colombia through Law 51 of 1981 and ratified on January 19, 1982, includes a series of legal provisions (evidenced in Article 14) that focus on rural women. These provisions establish that the States Parties should take “all appropriate measures to eliminate discrimination against women in rural areas to ensure, on a basis of equality of men and women, their participation in rural development and its benefits (...)” (UN, 1979, p.7) and thus pressured the nations to guarantee participation rights, health care, social security, education, access to agricultural credit and loans, housing, and health services for rural women.

2.2.2 *CONPES 2109 of 1984 “policy for peasant and indigenous women”*

In 1984, the government of the time, to comply with the provisions of the Convention of 1979, approved the CONPES (National Council for Economic and Social Policy) with the policy for rural and indigenous women, which arose from the confluence of the following factors:

the generation of new knowledge that made it possible to unveil the role of family labor and the productive work of rural women and their contributions to GDP; the presence of women in decision-making positions that helped to position gender issues on the public agenda; and the generation of policy recommendations by international organizations that promoted the recognition of the productive role of women in development initiatives (Suárez, Sañudo Pazos, Meertens, in Hernández, 2018)

Despite the efforts to impose this policy, it operated poorly, since, being formulated in parallel with the rural development policy, it hindered the articulation between the institutions in charge of implementing the plans that impacted the productivity of rural women. (Villalba, 2000 and Hernández, 2018)

However, this policy brought with it an important achievement that would become evident 4 years later with the issuance of Law 30 of 1988, which modified the provisions that privileged the male figure for the titling of uncultivated lands through agrarian reform. Similarly, this CONPES would become a pioneering initiative, not only in Colombia but also in Latin America, which, although it did not achieve all its formal aims, did succeed in raising awareness of the issue and thus allowed public sector entities and institutions to focus their attention on the rural female population (Villalba, 2000). (Villalba, 2000).

2.2.3 *Advances in the 90’s*

During the 1990s, several normative advances were made in gender equality. First, through Law 248 of 1995, Colombia

ratified the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, which obliged it to adopt policies to confront different forms of gender violence. Secondly, delegates from the State and feminist movements participated in the IV World Conference on Women, held in Beijing in September 1995, where an evaluation was made of the progress made by nations in the inclusion and elimination of all forms of discrimination against women.

As part of the progress made in the national territory, by 1990 the Government of Cesar Gaviria, with the help of the international community, mainly IICA (Inter-American Institute for Cooperation on Agriculture) and FAO (Food and Agriculture Organization of the United Nations), formulated a new policy called public policy for the development of rural women, approved in September 1993, which was considered a “new effort to frame the actions of the entities, going beyond the stage initiated in 1984. In September 1993, he formulated a new policy called public policy for the development of rural women, approved as a “new effort to frame the actions of the entities, overcoming the stage initiated in 1984 through greater integration with the rural development policy” (Departamento Nacional de Planeación, 1994, p.5). The main aims of this new policy were the following:

to improve the quality of life of rural women, to give them equal opportunities to participate in sectoral strategies and community and political coordination bodies, and to achieve greater access to and control over productive resources and increase their income (Departamento Nacional de Planeación, 1994, p.5,11).

However, it did not have institutional relevance, since with the change of government (Pastrana to Samper) where the Presidential Council for Women was eliminated, the task of formulating a new policy that would cover the issues of the 79 Convention was left in the hands of the Council for Social Policy and the DN.

Thus, on August 30, 1994, CONPES 2726 was presented as the policy of participation and equity for women, which would be complemented in 1997 and 1998 by the action plan called Rural Mission, where one of the eight cross-cutting themes pertained to gender equity in rural areas.

However, the policies were not successful because, according to the Minister of Agriculture in 2000 Rodrigo Villalba, the programs were unstable and inefficient, since “the institutional memory was lost, the offices and groups dedicated to the subject have disappeared, they have very few resources and there is no support from the State” (Villalba, 2000, p.14). In addition to this, the same Social Policy Council in Hernández (2018) affirmed that the programs were designed in isolation from sectoral policies and without coordinating instances at the decision-making.

Therefore, at the beginning of the 21st century, more than 20 years after the UN Convention, with international pressure, and with the figures, data, and statistics against rural women, the Ministry of Agriculture and the Government of the day saw

the urgent need to issue a truly efficient regulation to meet the commitments made at the international level and respond to this marginalized sector.

2.2.6 Law 731 of 2002, The awaited standard

With international pressure, unfulfilled promises, and rural women’s associations coercing the government, the Minister of Agriculture Rodrigo Villalba presented Bill 141 of 2000 (Senate) through which a legal norm was issued that could “improve the quality of life of rural women and establish specific measures aimed at accelerating equity between men and rural women” (Villalba, 2000, p.1).

Gutiérrez (2003), one year after the Law was issued, enthusiastically determined its importance and the scope that its inclusion policies could have, stating that:

The Law for rural women is a dream and a hope long fought for by Colombian women, so far it has only been sanctioned but has not been applied, if it is regulated in the spirit that women have wanted to give it and it is applied, not only will it overcome many obstacles and give new opportunities for poor rural women, but it will also open paths towards the search for social, gender, ethnic and racial equity in the new schemes of Sustainable Rural Development with a more human face (p.1)

The articles of this project contain 26 inclusion plans or policies related to 4 main axes: 1) access to means of production (land and credit); 2) the expansion of women’s participation in decision-making bodies; 3) access to social welfare services (education, social security, labor market, and housing); and 4) the creation of mechanisms for the collection of information and follow-up with a gender perspective. However, despite being an overly ambitious regulation concerning the different gender mainstreaming mechanisms, it has not had the expected results. Finally, with respect to this law (731 of 2002), which is the subject of detailed analysis of the investigation that supports this article, it was concluded that it was issued with the main purpose of responding to the international community and not to solve the multiple problems of this marginalized sector with clear policies, supported and backed by a budget. For this reason, the technical and financial studies for its effectiveness were not properly carried out.

2.2.7 Law 1900 of 2018

Finally, concerning the most recent regulations, in the framework of the development of the peace agreement and Decree 902 of 2017, the government of the day signed Law 1900 of 2018 to promote equity in the access of rural women to the allocation of vacant land, the allocation of rural housing and the provision of resources for productive agricultural projects, however, as will be described in the following section, the same did not meet its aims, and after 4 years of being issued there has been no evidence of favorable progress for rural women.

2.3 Main areas of discrimination against rural women

Within the aforementioned norms and instruments, all had their vision focused on 4 fundamental axes: Access to productive land, access to credit, labor, and political participation; although

there are indeed more axes related to the subject such as housing, education, identification days, subsidies, among others, due to the length of this document we will only present the details, statistics and progress (collected through more than 100 rights of petition) of the 4 fundamental axes to conclude with the effectiveness of the legal instruments in Colombia to achieve gender equity in the peasant sector.

2.3.1 Access to Land

Access to land for rural women has always been scarce, because although it is true that since Law 135 of 1961 women have had the possibility of owning land, this reform contained an indirect discrimination that made it difficult for women to access land. In addition to this, the policies developed in the 80’s and 90’s have not been truly effective in this regard, since according to Magdalena León:

The agrarian reforms that took place between the 1950s and 1980s excluded women and emphasized work in the fields as a purely male activity. The figures show this. In Colombia, in 1986, only 11.2% of women were beneficiaries of land, and by 1991, the last available statistical data was 11% (León in Quintana, 2022, p. 03)

However, with the development of Law 1900 of 2018, there has been no significant progress either, as the gender gap continues. In the case of access to productive land through the adjudication of wastelands, the figures show that during the time of issuance of the law, a constant of greater adjudication by the number of hectares to the male gender has been maintained (see figure No. 1), thus demonstrating the low impact that this legal statute has had concerning its main aim.

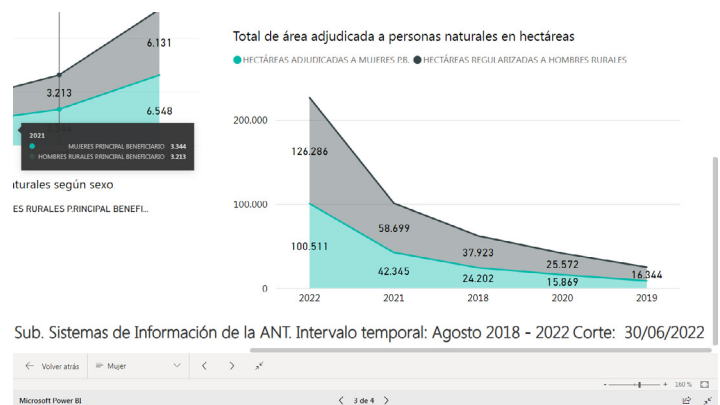


Figura 1. Total area awarded to natural persons in hectares - cutoff date June 30, 2022
Source: Rural Land Observatory (2022).

On the other hand, it is worth noting that in Colombia it is difficult to access data disaggregated by sex on the total number of land titles, since the problems of false tradition and cadastral outdatedness make it impossible to determine exactly what percentage of the land in Colombia belongs to women, nor the extent of the land they own. From this, it can be determined that “the lack of information results in an evident breach of the obligation established in article 30 of law 731 of 2002” (UNDP,

2011, p.138).

However, in addition to the figures for the adjudication of wastelands, the figures provided by the Research Center for Development of the Universidad Nacional (2010) can also be related to this axis, where it indicates that of the total number of displaced persons, only 26.7% of the land they occupy today is held by rural women, compared to the figure of 64.2% held by men. From the above it can be established that, despite the normative advances in land matters, mainly exposed in Law 135 of 1961, the CONPES of 1984, and Law 1900 of 2018, there are still adverse figures to the vindication of the rights of rural women. This situation may be due to several factors, but there are three that should be highlighted:

- *The indirect discrimination of agrarian reforms towards rural women and the late establishment of the affirmative action approach: As mentioned above, the reforms of the 50's and 80's indirectly discriminated against women, and it was not until 2018 that an affirmative action approach was applied that allowed recognizing the difference as a starting point for incorporating positive actions in the allocation of land to rural women.*
- *Ignorance of the social context when enacting inclusion policies: This was mainly evidenced in two opportunities, in the CONPES of 1984 and in Law 731 of 2002, since in both cases legal regulations were issued without the necessary social and technical studies since the main purpose was to "comply" with the international agenda.*
- *The indirect discrimination of agrarian reforms towards rural women and the late establishment of the affirmative action approach: As mentioned above, the reforms of the 50s and 80's indirectly discriminated against women, and it was not until 2018 that an affirmative action approach was applied that allowed recognizing the difference as a starting point for incorporating positive actions in the allocation of land to rural women.*
- *Ignorance of the social context when enacting inclusion policies: This was mainly evidenced in two opportunities, in the CONPES of 1984 and Law 731 of 2002, since in both cases legal regulations were issued without the necessary social and technical studies since the main purpose was to "comply" with the international agenda.*

2.3.2 Credit

The second axis relates to access to credit for rural women to promote agricultural projects. This was dealt with extensively in the explanatory memorandum and the regulatory body of Law 731 of 2002, since at the time of its enactment, "only 16% of disbursements to small producers went to women, compared to 83.7% to men" (Banco Agrario in Villalba, 2000, p.10). Therefore, the main legal instrument in this regard is found in Law 731 of 2002, which roughly established that Finagro would have to grant special credit lines with preferential rates for rural women and that the Agricultural Guarantee Fund would have to back these credits.

To verify progress in this area, a request was sent to the entity in charge of Finagro, which formally responded that they currently

have a line of credit called low-income rural women, which has a preferential rate of 4.8% and a maximum amount per person of \$198,000,000. However, when reviewing the figures (See Figure 2) on the number of women who can access this line of credit, we find that from 2003 to 2022 only 54,815 of these credits have been granted, that is, an annual average of less than 3,000, which leads us to conclude that of the 5,760,524 rural women in Colombia (DANE, 2020), only an average of 0.05% of rural women access this type of credit annually, thus demonstrating a very low level of compliance with the provisions of Law 731 of 2002.

Año	PEQUEÑO		Total por Año	
	Cantidad	Valor Credito	Cantidad	Valor Credito
2003	401	\$1.044	401	\$1.044
2004	803	\$2.076	803	\$2.076
2005	607	\$1.773	607	\$1.773
2006	849	\$2.604	849	\$2.604
2007	393	\$1.426	393	\$1.426
2008	284	\$1.298	284	\$1.298
2009	28	\$179	28	\$179
2010	40	\$255	40	\$255
2011	16	\$106	16	\$106
2012	40	\$319	40	\$319
2013	71	\$473	71	\$473
2014	98	\$665	98	\$665
2015	266	\$1.812	266	\$1.812
2016	172	\$1.417	172	\$1.417
2017	409	\$3.452	409	\$3.452
2018	1.561	\$14.255	1.561	\$14.255
2019	3.292	\$28.717	3.292	\$28.717
2020	9.816	\$93.575	9.816	\$93.575
2021	27.318	\$295.496	27.318	\$295.496
2022	8.351	\$96.007	8.351	\$96.007
Total	54.815	\$546.946	54.815	\$546.946

19-abr-22 SC-AP-433
Fuente: Dirección de Estadística

Figura 1. Annual series of low-income rural women's credit placements
Source: Finagro (2022)

In addition, it should be noted that the aforementioned regulation established that Finagro must allocate a minimum annual budget of 3% of the funds raised through the Agricultural Development Securities, TDA, class A, to cover preferential loans to rural women; however, in this regard, the entity responded that: "It is important to bear in mind that the lines of credit operate on demand and it is possible that these resources will not be fully used by this type of beneficiary:

It is important to bear in mind that the lines of credit operate on demand, and it is possible that these resources are not used in their entirety by this type of beneficiaries. If the balances of

the rediscounted loan portfolio for rural women do not reach the value equivalent to the established percentage, FINAGRO may use the resources from the available TDAs for other lines of credit (Finagro, 2022, p.4)

In this way, and as a conclusion of this axis, it has been established that institutional efforts have been minimal to promote through financing productive agricultural projects required by the Colombian countryside since Finagro in its response did not clarify what actions or policies it has carried out in the regions to publicize the aforementioned credits and allow effective access to them.

2.3.3 Political participation

Undoubtedly, this axis is one of the most controversial, because for decades women have been far from positions of power (Gutiérrez in UN, 2019), and while it is true that at the national level female political participation is increasingly notorious, in the rural sector it is not so, because as mentioned above, in the context of the Colombian countryside, a patriarchal mentality predominates (Bourdieu, 1998), which generates a low influx in decision-making positions in the territorial entities.

In this order of ideas, the State’s efforts to solve this problem are centered on Law 731 of 2002, which established two central policies: first, it focused on ensuring that rural women participate equitably in different decision-making bodies such as the Municipal Rural Development Councils, the Territorial Planning Councils, and the Departmental, District and Municipal Education Boards, among others. Second, it established the creation of a Consultative Commission of rural indigenous women to identify, formulate, evaluate, and monitor plans, programs, and projects related to the economic, social, cultural, political, and environmental development of Colombia’s indigenous peoples (Art. 23 of Law 731 of 2002)

To determine the progress of the first point, 91 rights of petition were sent to different municipalities in the 32 departments of the country, to establish whether participation in these decision-making bodies is indeed equitable. From the responses obtained to date, it is evident that more than 75% of the municipalities consulted do not have parity in the Municipal Rural Development Councils or the Territorial Planning Councils. Local governments argue that there is a lack of knowledge and low interest in women to attend these positions.

However, concerning the mechanisms used by territorial entities to promote the political participation of rural women, only 8% of the municipalities reported that there were campaigns to disseminate laws such as 731 of 2002 or 1900 of 2018, hinting at the low dissemination and promotion of parity participation in decision-making bodies.

2.3.4 Labor and Employment

Finally, concerning labor, it is essential to emphasize that rural women have always and in different ways been involved in productive work and important reproductive and labor replacement work; therefore, they are and have been active

subjects of development (Villalba, 2000, P. 9)

However, unemployment, unpaid work, and the inequitable wage gap have historically been against the female gender. However, despite the inclusion of these policies and guidelines, an analysis of the most recent statistics shows that, despite the passing of the years, the problem persists, and rural women still have a lower percentage of labor participation compared to men located in the Colombian countryside. As can be seen in Graph 3, when analyzing the data and figures of the last two decades, we can determine that the unemployment gap between men and women has always remained above 6.6 percentage points, and between 1999 and 2020, the figure only decreased by 2.3 percentage points (DANE, 2020).

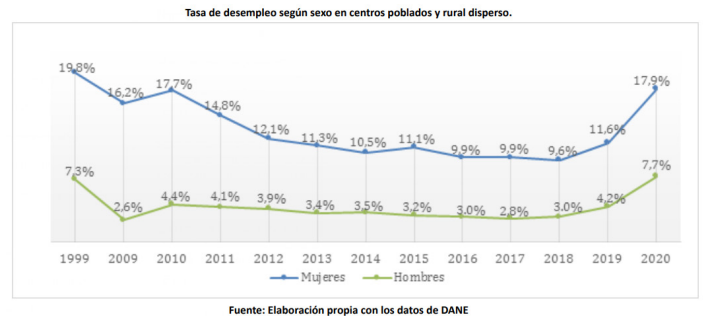


Figura 1. Unemployment rate by sex in populated centers and dispersed rural areas. Source: Sosa (2022) with DANE data.

On the other hand, the productive and reproductive work of rural women should be taken into account, understanding productive work as that in which there is some type of remuneration for the sale of some product; and reproductive work as that which is destined to guarantee the well-being of people and includes tasks such as food preparation, household cleaning, and different care activities, which are not remunerated and which are mostly performed by women (Sáenz in Sosa, 2022). includes tasks such as food preparation, household cleaning, and different care activities, which are not remunerated and are mostly performed by women (Sáenz in Sosa, 2022).

Regarding this, for the first quarter of the year 2021, 92.9% of rural women were engaged in unpaid work activities, (or reproductive) while the percentage for men was 57.9%. In addition, only 27.7% of rural women participated in remunerated activities, a figure that is 35 percentage points below that of men (DANE 2021).

In addition to the above, it should be added that 62% of rural women’s work is currently unpaid. A rural woman works approximately 12 hours and 42 minutes a day, 1 hour and 11 minutes more than men, of this time they only receive remuneration for 38% of their work time, while men receive remuneration for 73% of their work time (DANE, 2020)

It is only logical to conclude that the principle of equal pay that was promoted in Law 731 of 2002 remained on paper since the

figures are not at all favorable and there is no evidence of an encouraging outlook for rural women. The lack of concrete, clear, and effective actions has meant that this type of discrimination has not been attacked across the board, since beyond two articles in the law, there are no real policies that indicate the productive and reproductive work of women in rural areas.

3 Conclusions and final reflection

Based on the exposition made, the low operability of the state apparatus in the management of gender equity policies becomes evident, the late and partial actions do not propitiate a serious vindication. While it is true, the approaches to equal opportunities and positive action have been developed through the various legal mechanisms (laws 51 of 1984, 731 of 2002, 1900 of 2018), to date there is no comprehensive monitoring strategy that allows maximizing the efforts of the different sectors of public administration linked to the overall problem of overcoming all forms of discrimination against women.

On the other hand, by analyzing the main axes where discrimination towards rural women is evidenced, it has been possible to collect the necessary information to affirm that the mechanisms outlined in Law 731 of 2002 and 1900 of 2018 have not been sufficient to reduce the gender inequality gap that is present in the peasant sector, since within the implementation of the different projects, an institutional weakness has been evidenced in terms of technical, legal and financial resources, to achieve the purposes outlined in the 1979 convention. Finally, in a prepositive manner, and upon evidence that after 43 years since the adoption of the 1979 Convention, the implementation of the policies has been slow and of low impact, it is necessary to incorporate in the public agenda the possibility of operationalizing the fundamental right of progressive access to productive lands of the subjects of special protection (such as women and their associations), to prioritize the policy aims of the Convention in the management of the public administration.

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