



Women's political participation: democracy in peace-building

Participación política de la mujer: democracia en la construcción de paz

Participação política das mulheres: Democracia na construção da paz

DOI: <https://doi.org/10.21803/penamer.14.27.457>

Beatriz H. Bolaño García

<https://orcid.org/0000-0003-3814-6358>

Katrim De La Hoz del Villar

<https://orcid.org/0000-0001-8511-6237>

Abstract

Introduction/objective: This text develops substantial aspects on the political participation of Colombian women in all their orders, as a method or formula to guarantee the fundamental exercise of the right to choose and be elected within the framework of a democratic State. **Materials and methods:** To this end, an analysis is made of the protective legal framework that promotes the participation of women in government and administration, as well as the promotion of the political participation of this as a formula for the construction of peace with a territorial approach. **Results:** It outlines the legal norms that introduce affirmative actions in favor of women as they are: the minimum quotas of nomination to positions of free appointment and removal, as well as in positions of popular election. , among others. An analysis of the participation of women from the Territories is also carried out, with a review of the fulfilment of the legal quota for women's political representation in positions of popular representation. Similarly, important clarifications are made with regard to the implementation of the Peace Agreement with regard to guarantees that promote women's political participation as a means of building peace. **Conclusions:** It reaffirms the need to reclaim the political rights of women that have been violated over the years and calls for the various democratic mechanisms in place to achieve a stable and lasting peace.

Keywords: Political Participation; Woman; Democracy; Election; Paz.

Resumen

Introducción/objetivo: Este texto desarrolla aspectos sustanciales sobre la participación política de la mujer colombiana en todos sus órdenes, como método o fórmula para garantizar el ejercicio fundamental del derecho a elegir y ser elegida en el marco de un Estado democrático. **Materiales y métodos:** Para tal efecto, se realiza un análisis del marco jurídico protector que propende por la participación de la mujer en asuntos de gobierno y la administración, así como la promoción de la participación política de esta en tanto fórmula para la construcción de paz con enfoque territorial. **Resultados:** Se esboza la normatividad legal que introduce acciones afirmativas a favor de las mujeres como lo son: las cuotas mínimas de nominación a cargos de libre nombramiento y remoción, al igual que en los cargos de elección popular., entre otras. Asimismo, se efectúa un análisis sobre la participación de la mujer desde los territorios, efectuando un examen

¿Cómo citar este artículo?

Bolaño, B. & De La Hoz, K. (2021). Participación política de la mujer: democracia en la construcción de paz. *Pensamiento Americano*, 14(27), 81-93
DOI: <https://doi.org/10.21803/penamer.14.27.457>

Esta obra está bajo una Licencia Creative Commons
"Reconocimiento No Comercial Sin Obra Derivada".



sobre el cumplimiento de la cuota legal de representación política de la mujer en cargos de representación popular. De igual manera, se realizan precisiones importantes de cara a la implementación del Acuerdo de Paz en lo que se refiere a garantías que promuevan la participación política de la mujer como medio de construcción de paz. Conclusiones: Se reafirma la necesidad de reivindicar los derechos políticos de la mujer que a través de los años han sido vulnerados y se incita a garantizar los diversos mecanismos democráticos con los que se cuenta para lograr la consecución de una paz estable y duradera.

Palabras clave: Participación Política; Mujer; Democracia; Elección; Paz.

Resumo

Introdução/Objetivo: Este texto desenvolve aspectos substantivos da participação política da mulher colombiana em todos os níveis, como método ou fórmula para garantir o exercício fundamental do direito de eleger e ser eleita no âmbito de um Estado democrático. **Materiais e métodos:** Para tanto, analisa-se o marco jurídico protetor que favorece a participação da mulher no governo e na administração, bem como a promoção da participação política da mulher como fórmula de construção da paz com enfoque territorial. **Resultados:** Descreve as normas legais que introduzem ações afirmativas em favor das mulheres, tais como: cotas mínimas para nomeação para cargos de livre nomeação e exoneração, bem como em cargos de eleição popular, entre outros. Da mesma forma, é feita uma análise da participação das mulheres nos territórios, examinando o cumprimento da cota legal para a representação política das mulheres em cargos de representação popular. Da mesma forma, são feitos esclarecimentos importantes com vistas à implementação do Acordo de Paz em termos de garantias que promovam a participação política da mulher como meio de construção da paz. **Conclusões:** Reafirma-se a necessidade de reivindicar os direitos políticos das mulheres, que têm sido violados ao longo dos anos, e incentivam-se os diversos mecanismos democráticos disponíveis para alcançar uma paz estável e duradoura.

Palavras-chave: Participação política; Mulheres; Democracia; Eleições; Paz.

Perfil

82

Abogada, Politóloga y Magíster en Derecho Penal y Criminología de la Universidad Libre Seccional Barranquilla, Docente en la Corporación Universitaria Americana, Barranquilla, Colombia, Orcid:

Abogada y maestrante en Estudios Internacionales en la Universidad de los Andes – Colombia, Abogada e investigadora en la Corporación Caribe Afirmativo – Docente Universidad del Atlántico, Barranquilla, Colombia.

Beatriz H. Bolaño García

Katrim de la Hoz del Villar

Introduction

Democratic states governed by the rule of law, as is the case of Colombia, must strive to guarantee political participation to their citizens through the exercise of each of the means established in the Constitution and in the law to be part of politics through the right to be elected and to hold public office in public or public corporations.

However, women have historically faced great challenges in exercising their right to political participation, being segregated or discriminated against by the community and the institutions themselves, which has generated enormous inequalities in the exercise of women's political rights in the Colombian State, generating conflicts in the territories where women find it difficult to access popularly elected positions or, even worse, to express their will through the exercise of the popular vote.

As women's participation is a sensitive aspect in matters of peace policy, it is inevitable to develop the thematic aspects of the protective legal framework for women in the exercise of their political rights, women's participation in politics as a solution to conflicts in the territories and the dynamics that arise from the new panorama that emerges from the conclusion of peace agreements between the State and illegal armed groups.

Consequently, this scientific document is aimed at establishing the protective legal framework in force in Colombia to guarantee the political participation of women in the scenarios of a democratic State under the rule of law that is concerned with assigning a leading role to women at each of the levels and orders of public administration. For this purpose, the supra-legal and constitutional norms that generically protect women's political rights are set forth, and then the legal norms that introduce specific affirmative actions in favor of women, such as minimum quotas for nomination to public office, are delimited.

of free appointment and removal, as in the case of popularly elected positions.

A general analysis is also made of the participation of women in the territories, i.e., the election of women to positions of popular representation in mayorships, governorships, councils and assemblies, examining compliance with the legal quota for political representation of women in the respective positions of popular election.

Similarly, important clarifications are made with regard to the Peace Agreement in general with respect to the guarantees of a system that allows women's political participation as a means of building peace in a democratic nation.

METHODOLOGY

The methodology applied to develop this article is based on the deductive method, since it is based on the normative framework and democratic principles that promote women's political rights and then particularly delimit the obstacles that arise for women to exercise their rights to elect and be elected in the territories and how overcoming these obstacles will allow a solution to be found to social phenomena that place the constant realization of peace at risk.

Thus, this article is of a legal nature, since this research method refers to "a specific branch of methodology, which studies the methods and techniques used in law" (García, 2015, p. 45). This makes it possible to plan the issues to be addressed theoretically from an eminently legal perspective.

1. Legal framework for the exercise of Colombian women's political rights

[83]

The legal institutions of a democratic state governed by the rule of law must strive to develop principles, values, laws and resolutions that develop mechanisms for gender equity, which is why the societies of the world are increasingly concerned about gender equality.

Modern societies must formulate and preserve the necessary normative adjustments to guarantee the political participation of women and men in equal measure, under conditions that ensure accessibility for women to occupy popularly elected public office or that they may disseminate the political or partisan ideology that, according to their convictions, should be approved by the popular vote.

In this regard, at the level of international law, conventions have been built that enshrine the equality of women to exercise their political rights under the same conditions as men, both in the representation, participation and formulation of the political agenda in the following terms:

Representation of women in the political life of their countries on equal terms with men by guaranteeing women's rights to: (a) To vote in all elections and public referendums and to be eligible for election to all bodies whose members are subject to public elections; (b) To participate in the formulation of government policy and the implementation thereof, and to hold public office and exercise all public functions at all levels of government (Convention on the Elimination of All Forms of Discrimination against Women, 1979, Art. 7).

The Political Constitution of Colombia of 1991 established the identity of political rights for both men and women, in the sense that it does not establish any restriction for women to intervene in public affairs, such as the nomination of candidates for elected office, active participation in movements, groups or political parties, and the exercise of free voting, with no other restrictions required of the opposite sex than the attainment of the age of majority to exercise each of these rights.

To that extent, the 1991 Constitution gave equal treatment to men and women for the exercise of political rights, referring in general terms to

84

The fundamental rights of citizens in which women are included without limitations or special conditions due to the fact that they are women. In fact, the constitutional text enshrines:

Every citizen has the right to participate in the formation, exercise and control of political power. To take part in elections, plebiscites, referendums, popular consultations and other forms of democratic participation, 3. To form parties, movements and political groupings without any limitation whatsoever; to form part of them freely and to disseminate their ideas and programs, 4. To revoke the mandate of those elected in the cases and in the manner established by the Constitution and the law, 5. To have initiative in public bodies, 6. To file public actions in defense of the Constitution and the law, 7. To have access to the performance of public functions and positions, except for Colombians, by birth or adoption, who have dual nationality. The law shall regulate this exception and determine the cases to which it shall apply. The authorities shall guarantee the adequate and effective participation of women at the decision-making levels of the Public Administration (Political Constitution, 1991, art. 40).

From the aforementioned constitutional precept, it is worth noting that the authorities are obliged to protect and support the effective participation of women within the decision-making levels of public administration, which means plural participation in each of the orders, that is, from the municipal, district, departmental and national jurisdictions.

However, it is not enough to enunciate women's political and democratic participation as a constitutional right; legislative efforts and actions are required to develop the higher-level postulates. This is so that the public authorities ensure that the fundamental mandate to respect and enforce the political rights of women in all fields of democratic action of the nation.

Now, the democratic action of women can be seen in two ways, the first by acting in representative democracy and the second through participatory democracy, in the sense that with the former they can be politically represented in popularly elected positions through other citizens with whom they share similar ideas or postulates, who can be elected through the exercise of the popular vote. On the other hand, the second is participatory democracy, which is the possibility of being elected to popularly elected public office, that is to say, the possibility for women to be part of public corporations such as Municipal Councils, Departmental Assemblies and the Congress of the Republic, or to be elected to occupy unipersonal positions such as mayor, mayoreña, governor or even president of the republic.

Consequently, Law 581 of 2000 was enacted to guarantee the adequate and effective participation of women at all levels of the different branches of government, as well as in other state bodies and entities, which seeks to ensure that women have a decision-making vocation at the highest levels of government.

To this end, a minimum quota of women was established for public positions known as "free appointment and removal", in which the appointing authorities must observe the following rules for the composition of the respective staff: "a) At least thirty percent (30%) of the positions at the highest decision-making level shall be held by women; b) At least thirty percent (30%) of the positions at other decision-making levels shall be held by women" (Law 581, 2000, art. 4). This rule should guide the formation of the public administration.

In this regard, the Honorable Constitutional Court of Colombia ruled on points of law of Law 581 of 2000, mainly with regard to the minimum quotas for the allocation of public nominee positions.

The Court noted that there is a historical discrimination against this sector of the population that requires affirmative protection measures that provide guarantees for the intervention of women in public administration. In effect, the highest constitutional court pointed out:

The quota is undoubtedly a measure of affirmative action - of reverse discrimination - intended to benefit women, as a group, in order to remedy the low participation they currently have in managerial and decision-making positions in the State. This quota is of a "rigid" nature, since far from being a simple goal to be achieved, it is an "imperative" reservation of a certain percentage, although this is understood as a minimum and not a maximum. Likewise, the Court understands that it is a specific and not a global quota. That is to say, it applies to each category of positions and not to the group of employees that make up the "highest decision-making level" and the "other decision-making levels. (Constitutional Court, Sentence C-371, 2000).

Likewise, the Colombian legislator stipulated that the organization and operation of political parties and movements must guarantee gender equity and equality, in the sense that "men, women and other sexual options shall enjoy real equality of rights and opportunities to participate in political activities, lead party organizations, have access to electoral debates and obtain political representation" (Law 1475, 2011, Article 1). This legislation formally ensures non-discrimination against women and other groups historically discriminated against due to their condition of historical vulnerability.

The rule provided for in Article 28 of Law 1475 of 2011, in the sense of guaranteeing the participation of women in the political field, is of potential value, since it provides that political parties, in order to integrate their lists where five or more seats are elected for public corporations of popular election or which are subject to a consultation procedure, except for its result, must adjust to

In other words, the lists of 5 members for popularly elected positions formed by political parties must contain at least 30% of one of the genders, either men or women, warning the parties that they cannot present lists with 100% men or, conversely, all of the lists must be made up of women.

This means that, in a hypothetical case, if a certain political party presents a list of ten candidates for the popularly elected position of senator, among which only two are women, the electoral authority will have to invalidate such list, since 30% of the list composed of ten men, at least three must be women, being the adequate proportion 7 men and at least 3 women or, on the contrary, 7 women and 3 men.

The implementation of the rule described above is without hesitation a victory for the democratic participation of women in public affairs, and it is the responsibility of political movements and parties to guarantee equanimity or balance between the genders, increasingly promoting greater participation of women in the governmental context that even allows for obtaining parity lists of candidates.

However, the aforementioned norms are not the only ones that are sympathetic to the political participation of women in the different democratic scenarios, since Law 388 of 1997 is also identified in its Article 4, which provides for the democratic participation of the community in the coordination of the economic, social and urban interests of the municipalities, districts and metropolitan areas, thus giving women the right to form civic organizations for citizen intervention.

86

In this regard, Article 66 of Law 80 of 1993 establishes community participation with citizen oversight and control over contractual business.

In other words, women can join civic, community and charitable associations, among others, to follow up on contracts entered into by public entities, which translates into women's civic oversight of public contracting.

Undoubtedly, another transcendental regulation for the protection of women's political participation is that which refers to the elimination of obstacles to rural women's participation in public affairs. In effect, the Colombian State recognizes that there are substantial difficulties for the rural population to access democratic participation mechanisms, and for this reason, rural women received special benefits under Law 731 of 2002, which in its fifth chapter develops essential aspects such as the equitable participation of rural women in different decision-making, planning and monitoring bodies at the territorial level, as well as in bodies that favor the rural sector and on departmental, district and municipal boards of education.

Under this horizon, it is intended to assign women sufficient democratic spaces for political participation within the democratic spaces that cannot be alien to the intervention of women without distinction by socio-economic, cultural, social, ethnic or religious level, since the man- dato is that in each of the strata there must be plurality in the democratic participation of women, without visible or suspicious criteria of discrimination because of their condition of being a woman.

However, the normative framework protecting women's political participation must be harmonized as a universal human right, in which there is an interrelation of substantive and ideological discussions. In this regard, the scholar Prieto (1990) states:

Human rights, like any other object of reflection, but even more so, if possible, did not emerge in our university reality from a single source.

The study of human rights, like their legal recognition, was a countercurrent undertaking in a political and cultural context that was favorable, if not downright hostile (p. 11). The study of human rights, like their legal recognition, was a countercurrent undertaking in a political and cultural context that was favorable, if not downright hostile (p. 11).

The foregoing shows that the achievement of women's democratic participation is related to the immense conflicts that had to be overcome throughout history to arrive at the declaration of universal human rights, including the recognition of women's legal personality, which in turn grants them the possibility of being subject to rights and obligations within a democratic State scenario.

Each of the aforementioned normative precepts signify serious advances for women in terms of admitting and guaranteeing their political participation in the bodies that make up public power, giving them the possibility of being active subjects in the shaping of that state power, which cannot be vetoed for women. For this reason, there is room for protective affirmative actions alluding to "policies or measures aimed at favoring certain persons or groups, either with the purpose of eliminating or reducing the social, cultural or economic inequalities that affect them" (Alfonso, 1994, p. 78). This is equivalent to saying that it should be a political action to eliminate any obstacle or barrier that interferes with the intervention of women in the political context of the country that supports the universal realization of human rights.

2. Women's political participation in the territories of the region

In order to build a national peace that includes the pillars of a gender approach and respect for women's democratic rights, it is necessary to start from the territories, understood as the geographical areas of the regions that make up the country, in which communities develop and where social dynamics of frictions or conflicts arise.

The main objective of this project is to promote the development of a conglomeration of citizens with a plurality of political, social, economic, religious, sexual, and ethnic ideologies, among others.

It is natural that in the territories of the country there are collisions of political ideas, which must be resolved through the democratic mechanisms provided for in the Constitution and in the Law to define by the majorities which political thought or project prevails over the others, without this meaning the infringement of the rights of minorities or of the opposition to the majority ideas. To this extent, the legal norms of a democratic and social State governed by the rule of law are instituted to preserve peaceful coexistence and respect for political ideas that may cause social friction in the geopolitical territories that make up the country.

Likewise, the regulatory framework protecting the political rights of Colombian women is designed to ensure that they are guaranteed and exercised fairly in the territories where women develop on a daily basis, i.e., in the territories where they live they will not be discriminated against, displaced, dispossessed or even assaulted for exercising their rights, women's political participation is crystallized primarily with the assurance that in the territories where they live they will not be discriminated against, displaced, dispossessed or even harassed for making their duties as citizens their own through political intervention in an effort to obtain social leadership for the development of their territorial communities.

However, the truth is that in the territories "the political participation of women still faces great challenges to achieve parity in political representation, aimed at the implementation of public policies for gender equality" (Lesmes, 2018, p.42). To that extent, the challenge persists from the territories themselves, i.e., the need arises for women to access the positions of authority of political representation of governorships, mayorships, councils and assemblies, which are precisely those that have the vocation of leadership and high decision-making levels in each of the territorial and jurisdictional constituencies of the country.

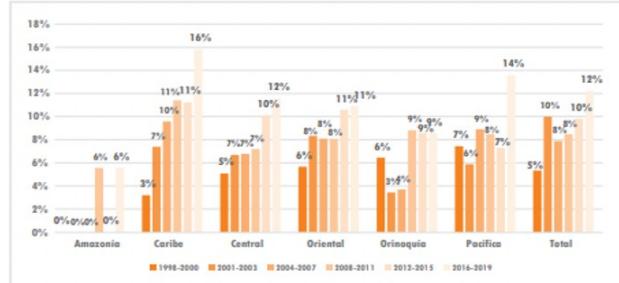
In this order of reasoning, for the last elections of popular positions at the territorial levels held in October 2015 for the four-year period from January 1, 2016 to December 31, 2018, where women currently represent "15.6% of governors, 12.2% of mayors, 16.7% of deputies and 16.6% of councilors in the country" (Lesmes, 2018). Undoubtedly, these low indicators of popularly elected positions of territorial order currently held by women show that there are still challenges to achieve a more equal or balanced political participation of women compared to the achievement that has historically been achieved by the opposite sex in single-person positions or territorial public corporations.

However, the need for women to occupy more political leadership positions in the territories would most likely mean the consolidation of projects and public policies with a gender perspective, the defense of political rights and greater guarantees for the exercise of these rights by women social leaders in each of the territories, since local administrations are called upon, together with the national government, to implement mechanisms and public actions to ensure a peaceful democratic scenario.

In the territories there must be a transformation of municipal, district and departmental authorities whose visible heads are women in equal proportions to men, i.e., a harmonic balance of gender parity in territorial political representation is indispensable. According to the data compiled by the National Registry of Civil Status, for the years 1998 to 2016, the representation and political participation of women in public positions of popular election in the territories has been as follows:

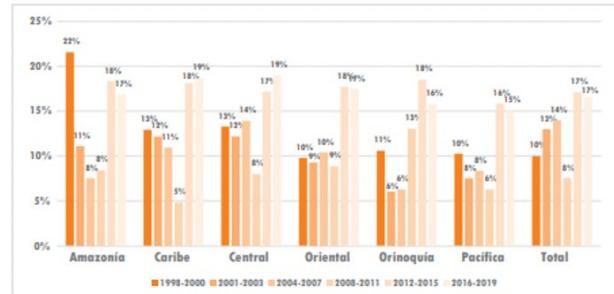
[88]

Figura 1.

Porcentaje de mujeres alcaldesas por región y períodos administrativos*Nota:* Recuperado de la Registraduría Nacional del Estado Civil

With regard to the popularly elected positions of municipal council, it is evident that the situation seen with the mayoralties in the different territories of the country, by region, is repeated with similar characteristics. In fact, data from the National Civil Registry Office show an average representation and political participation of women for the period from 1998 to 2016 that has ranged from 10% to 22%, as described below:

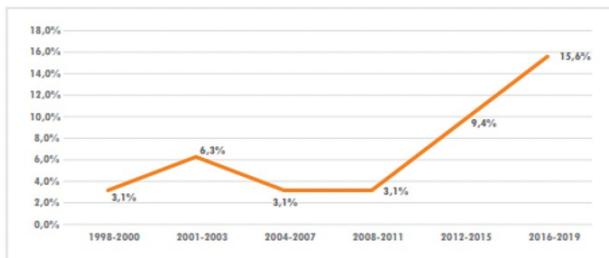
Figura 2.

Porcentaje de mujeres concejales por región y períodos administrativos*Nota:* Recuperado de la Registraduría Nacional del Estado Civil

For its part, the popularly elected position of governor as the highest departmental authority and of the territories under its jurisdiction, has shown a progressive increase from 1998 to 2016, but without achieving a minimum of 30% political participation of women in this territorial order, according to data collected by the National Civil Registry:

Figura 3.

Porcentaje de mujeres gobernadoras por períodos administrativos

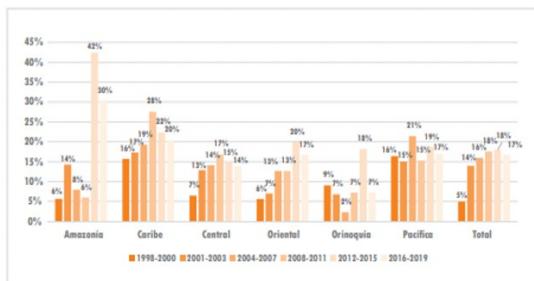


Nota: Recuperado de la Registraduría Nacional del Estado Civil

Regarding popularly elected positions in the departmental assemblies, a similar trend is observed between 1998 and 2016, since with the exception of the Amazon region for the 2012-2015 and 2016-2019 periods the 30% threshold was exceeded, the other regions have never exceeded the minimum of 30% for said departmental collegiate bodies, according to the information compiled by the National Registry of Civil Status (Registraduría Nacional del Estado Civil) which is presented below:

Figura 4.

Porcentaje de mujeres asambleístas por región y períodos administrativos



Nota: Recuperado de la Registraduría Nacional del Estado Civil

The foregoing proves that the gender parity policy in the territories has not yet been able to be consolidated under the current guidelines of protective affirmative actions to ensure the democratic action of women from the same State institutions, where they can exercise the mandate and power to govern with policies of gender inclusion; to address the frictions or conflicts that have the potential to harm the fundamental rights of women in the territories.

each of their respective territories that seriously affect peace.

Thus, in the current context of democracy in the country's territories, it is evident that the affirmative actions aimed at guaranteeing women's political participation have not achieved their goal, since the female sex has not yet achieved parity or at least a fair balance in accessing popularly elected positions in the municipalities, districts and departments of the different Colombian territories, which are currently occupied mostly by men.

3. Women's political exercise in peace building

For more than 60 years, Colombia has been the scene of diverse and profound social conflicts that have unleashed an internal war with several edges in which a plurality of actors have intervened, such as guerrilla groups, self-defense groups, State agents and even third parties or individuals who have financed the armed dispute or illicit businesses that derive from it.

In this order of ideas, within the internal armed conflict, women have been targets of war, that is, victims of scourges such as forced displacement, sexual abuse, sexist murders today classified as femicides, among other facts that have seriously affected the human dignity of Colombian women immersed in the armed dispute or have been the object of instrumentalization for the war through forced recruitment actions, acts of submission or humiliation to their integrity (Centro Nacional de Memoria Histórica, 2017).

However, the political participation of women in the Colombian armed conflict has also been another fundamental and human political right systematically violated by the illegal armed groups and even by the State itself, since it has been curtailed and even silenced with death in the political participation of women.

The Colombian State's negligence or omissions in preserving the integrity and lives of women who have stepped forward to dare to play a political role in their communities or territories shaken by armed disputes.

Women's political leadership has been the object of punishment for women throughout the armed conflict, therefore, within the Peace Agreement signed by the State with the FARC-EP guerrilla on November 26, 2016, vital aspects for the political participation of women were specified, in order to "ensure that members of an underrepresented group, usually a group that has been discriminated against, have greater representation" (Greenawalt, 1983, p. 67), that is, for the specific case of women who, during the internal armed conflict, have not exercised essential democratic rights such as the possibility of electing and being elected to popular commissions. 67), that is, in the specific case of women who, as a result of the internal armed conflict, have not exercised essential democratic rights such as the possibility of electing and being elected to popular commissions.

In this regard, there should be no doubt that the construction of peace under the guidelines of a democratic rule of law will only be possible when women have the formal and material guarantees to access the political exercise without fear, threats or reprisals that seek to intimidate or persuade the participating women to abstain from taking part in matters of public interest in their territory.

To break the inequality gap of women in the field of political action, it is necessary to start by giving women the real value they deserve in the roles they assume within their community or territory, since "their participation in employment, their contribution to family income and their role in the national economy is systematically ignored or underestimated" ("The richest 1%", 2018). For this reason, it is significant to maximize women's political participation and to value the work they can do in political action.

[90]

The truth is that the political role of women in the construction of peaceful coexistence was included in the Peace Accords (2016) by stating that:

Considering that women face greater social and institutional barriers to the exercise of political participation as a result of profound discrimination and inequalities, as well as structural conditions of exclusion and subordination, which generate greater challenges to guarantee their right to participation, confronting and transforming these historical conditions implies developing affirmative measures to guarantee women's participation in the different spaces of political and social representation. For this, it is necessary to recognize the situation and condition of women in their contexts and particularities (p. 35).

In effect, the Colombian State within the peace process recognizes the limitations in women's political action and at the same time declares that their participation is necessary through true affirmative actions that must be carried out from the same territories or communities where women live, emphasizing the particularities faced by the female sex as a population historically discriminated against.

However, the peace agreement established affirmative measures or actions in favor of ensuring the political participation of women in each of the institutional bodies of Colombian democracy, including ensuring that parties, movements and other political groups have the participation of women in their operational bodies.

Likewise, for the specific case of the Integral Security System for the Exercise of Politics included in point 2.1.2. on the security guarantees for the exercise of politics within the framework of the Peace Agreement, it was indicated that the new system must incorporate special measures for women in relation to their positive valuation of their participation in public affairs, as well as monitoring of the threats and risks to which women are exposed for the free and autonomous exercise of politics in their communities.

In addition to the foregoing, in item 2.2.1. on guarantees for social movements and organizations, it was established that in order to achieve a stable and lasting peace, it is necessary to provide guarantees of participation "on the understanding that a society in which women actively participate is a more democratic society, it is important to strengthen their organizations and empower their protagonism within social organizations and movements" (Peace Accords, 2016). In this way, cross-cutting and substantive governmental strategies can be felt so that these parties, movements and other political groupings provide scenarios and guarantees together with the State for the public intervention of women's political action.

Based on the current scenario, in order to face the challenge of women's political participation with the guarantee of inclusion and solid and non-discontinuous representation during the post-conflict process, it is essential to establish some essential or basic minimums of mandatory compliance by the Colombian State in the post-peace agreement. Indeed, the author Cháparro (2016) states:

One of the basic minimums in relation to inclusion is that there should be no further regression in the highest levels of female presence achieved. The fair minimum in this regard is parity. The agreements between the Government and the FARC in each of the thematic areas establish the creation of a series of institutions designed to regulate the processes to be carried out. The presence of women in terms of parity must be guaranteed in these bodies and women must be given positions of power and leadership in them (p.82).

In short, it is essential to make increasing progress with legal mechanisms that ensure parity in the political participation of women in each of the elected positions in public administration, where women can exercise their political role without fear of reprisals from critical actions.

In this regard, the State must promote that women will have access in every municipality of the country, even at the most remote point of the country. To this end, the State must promote, within the scenario that is developing as a result of the post-peace agreement, that women will have access in every municipality of the country, even in the most remote part of it, to the fundamental and human right of political participation in its most guaranteed expression of having the legal prerogative of electing and being elected through the democratic exercise of voting and political representation in unipersonal positions or in collegiate bodies of the national, departmental or local government.

CONCLUSIONS

It is evident that Colombian women face similar challenges and obstacles to freely, spontaneously and without pressure exercise their fundamental and human political right of constitutional rank to elect and be elected in contests or popular election contests at all governmental levels of the State.

Undoubtedly, the real implementation of each of the consolidated affirmative actions in favor of women's political participation cannot be postponed, for example, the materialization of the minimum quota of 30% of women in nominations for public positions of free appointment and removal in accordance with Law 581 of 2000. Likewise, the integration of public positions of popular election with a minimum quota of 30% women, who must be registered in that minimum proportion in the lists submitted by political parties and movements in compliance with Law 1475 of 2011.

However, it is considered that progress must be made in guaranteeing political gender parity in the public scenario so that Colombian women can obtain the true protagonism to carry out political projects with the approaches proper to the ideals of the vulnerable and historically discriminated population, that is, the balance of public power with the active participation of the political role of women will be achieved when the State and society

to change dogmas of discrimination against women and to lead the democratic mechanisms of political participation in their territories.

The implementation of the Peace Agreement is, without any doubt, the perfect scenario to carry out governmental reviews and controls to guarantee the political exercise of women without risks or threats that would keep them away from the electoral contest. In fact, the present time is the right time to vindicate the political rights of women to shape and manage the political agenda, which under efficiency criteria consolidate the democratic mechanisms that derive from peaceful territories and communities.

The road ahead is long, affirmative actions must always have the goal of democratizing public power with the real intervention of women at all levels of public administration, in positions that consolidate public policies in favor of gender equity, which in turn will propagate peaceful coexistence in the territories with spaces for social inclusion and the overthrow of evident or suspicious criteria of segregation of women in politics.

Referencias

Acuerdos de Paz. (2016). *Participación política: Apertura democrática para construir la paz*. Bogotá D.C.

Alfonso Ruiz, M. (1994). *Discriminación Inversa e Igualdad. El Concepto de Igualdad*. Pablo Iglesias.

Asamblea Nacional Constituyente. (1991). *Constitución Política de Colombia de 1991*. Bogotá D.C.

Centro Nacional de Memoria Histórica. (2017). *La guerra inscrita en el cuerpo. Informe nacional de violencia sexual en el conflicto armado*. CNMH, Bogotá. <https://cutt.ly/rEtV2B0>

Chaparro, N (2016). *La participación política de las mujeres en los procesos de paz en Colombia (1982-2016)*. Dejusticia.

El 1% más rico de la población mundial acaparó el 82% de la riqueza generada el año pasado, mientras que la mitad más pobre no se benefició en absoluto. (2018, 22 de enero). *Oxfam internacional*. <https://www.oxfam.org/es/sala-de-prensa/notas-de-prensa/2018-01-22/el-1-mas-rico-de-la-poblacion-mundial-acaparo-el-82-de-la>

García, D. (2015). *La metodología de la investigación en el siglo XXI*. Universidad Nacional autónoma de México.

Greenawalt, k. (1983). *Discrimination and Reverse Discrimination*. Alfred A. Knopf.

Lesmes, A. (2018). *Participación de la mujer en el escenario político colombiano*. CMYK Diseño impreso.

Ley 1475 de 2011. (2011, 14 de julio). Congreso de la República. Diario Oficial No. 48.130.

Ley 388 de 1997. (1997, 18 de julio). Congreso de la República. Diario Oficial No. 43.091

Ley 581 de 2000. (2000, 31 de mayo). Congreso de la República. Diario Oficial No. 44.026

Ley 731 de 2002. (2002, 14 de enero). Congreso de la República. Diario Oficial No. 44.678



Ley 80 de 1993. (1993, 28 de octubre). Congreso de la República.

Diario Oficial No. 41.094

Organización de naciones unidas. (1979). Convención sobre la Eliminación de Todas las Formas de Discriminación contra las Mujeres. Ginebra: Asamblea general de la organización de naciones unidas.

Prieto, L. (1990). *Estudio sobre derechos fundamentales*. Debate.

Sentencia C- 371/00. (2000, 29 de marzo). Corte Constitucional.

(Carlos Gaviria Diaz M.P). <https://www.corteconstitucional.gov.co/relatoria/2000/C-371-00.htm>

[93]