

Women's rights in the implementation of the Victims' and Land Restitution Law

*– The transformative potential of gender justice in the land restitution
programme in Colombia –*

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Abstract

This paper studies the existence of elements of gender justice in the ongoing land restitution process in Colombia, in order to analyse the potential of the Land Restitution Programme to contribute to the elimination of structural violence against women and the resulting gender inequalities. In this context, the sources of the analysis comprises the Victims' and Land Restitution Law of 2011, the implementation programmes by the Land Restitution Unit, and the sentences by the specialized judges for land restitution. The paper argues that although the land restitution programme represents an opportunity to improve the situation for displaced women and contains elements of gender justice that could contribute to the elimination of structural forms of discrimination and exclusion of women in the Colombian society, there are obstacles that could diminish the transformative potential of the land restitution process if not taken into account and tackled in the right way in the implementation programmes and the land restitution cases.

Key words: Transitional Justice, displacement, land restitution, gender justice, structural violence, transformative justice, differential approach

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