

LAW 387 OF 1997

(July 18)

Diario Oficial [Official Gazette] No. 43,091 of July 24, 1997

By means of which measures are adopted for the prevention of forced displacement, and for assistance, protection, socioeconomic consolidation and stabilization of persons internally displaced by violence in the Republic of Colombia.

<Summary of Validity Notes>

VALIDITY NOTES:
- Amended by Law 962 of 2005, published in the <i>Diario Oficial</i> No. 45,963 of July 8, 2005, "By means of which provisions are issued regarding rationalization of administrative processes and procedures of the State entities and organizations and those private organizations that exercise public functions or provide public services."
- Amended by Decree 266 of 2000, published in the <i>Diario Oficial</i> No. 43,906 of February 22, 2000, "By means of which guidelines are issued to eliminate and amend the regulations, procedures, and processes."
Decree 266 was [sic] 1999 was declared UNENFORCEABLE by the Constitutional Court via Decision C-1316-00 of September 26, 2000, Hon. Carlos Gaviria, Justice reporting the opinion of the Court. As of its promulgation.
- Amended by Decree 1122 of 1999, published in the <i>Diario Oficial</i> No. 43,622 of June 29, 1999, "By means of which guidelines are issued to eliminate procedures, facilitate citizen activity, contribute to the performance and effectiveness of the Public Administration, and strengthen the good faith principle."
Decree 1122 of 1999 was declared UNENFORCEABLE by the Constitutional Court via Decision C-923-99 of November 18, 1999, Hon. Alvaro Tafur Galvis, Justice reporting the opinion of the Court.

THE CONGRESS OF COLOMBIA

DECREES:

TITLE I.

THE DISPLACED AND THE RESPONSIBILITY OF THE STATE

ARTICLE 1. THE DISPLACED. A displaced person is any person who has been forced to migrate within the national territory, abandoning his place of residence or customary economic activities, because his life, physical integrity, personal freedom or safety have been violated or are directly threatened as a result of any of the following situations: internal armed conflict, civil tension and disturbances, general violence, massive Human Rights violations, infringement of International Humanitarian Law, or other circumstances arising from the foregoing situations that drastically disturb or could drastically disturb the public order.

PARAGRAPH. The National Government shall establish what is understood by displaced status.

ARTICLE 2. THE PRINCIPLES. The interpretation and application of this law is guided by the following principles:

1. The forcibly displaced have the right to request and receive international assistance and that engenders the international community's corresponding right to provide humanitarian assistance.
2. The forcibly displaced shall enjoy internationally recognized basic civil rights.
3. The displaced and / or forcibly displaced have the right not to be discriminated against due to their displaced status, or for reasons of race, religion, public opinion, place of origin, or physical disability.
4. The families of the forcibly displaced shall benefit from the basic right to family reunification.
5. The forcibly displaced have the right to consent to definitive solutions to their situation.
6. The forcibly displaced have the right to return to their place of origin.
7. The Colombian people have the right not to be forcibly displaced.
8. The displaced and / or the forcibly displaced have the right for their freedom of movement not to be subject to more restrictions than those provided by law.
9. It is the State's obligation to support the conditions that facilitate coexistence among Colombians, equality and social justice.

ARTICLE 3. THE RESPONSIBILITY OF THE STATE. It is the responsibility of the Colombian State to formulate policies and adopt measures for the prevention of forced displacement, and for assistance, protection, socioeconomic consolidation and stabilization of persons internally displaced by violence. By virtue of the foregoing clause, the principles of subsidiarity, complementarity, decentralization, and equality on which the organization of the Colombian State is based shall be taken into account.

TITLE II.
NATIONAL SYSTEM FOR COMPREHENSIVE ASSISTANCE TO
POPULATIONS DISPLACED BY VIOLENCE
CHAPTER I.
CREATION, CONSTITUTION, AND OBJECTIVES
OF THE NATIONAL SYSTEM FOR COMPREHENSIVE ASSISTANCE TO

POPULATIONS DISPLACED BY VIOLENCE

ARTICLE 4. CREATION. The National System for Comprehensive Assistance to Populations Displaced by Violence is created to achieve the following objectives:

1. Comprehensively assist populations displaced by violence so that, within the framework of voluntary return or resettlement, they successfully reincorporate into Colombian society.
2. Neutralize and mitigate the effects of the processes and dynamics of violence that lead to displacement by strengthening sustainable and comprehensive development of the zones of expulsion and reception, and the promotion and protection of Human Rights and International Humanitarian Law.
3. Integrate public and private efforts for appropriate prevention of and assistance in situations of forced displacement by violence.
4. Guarantee timely and efficient management of all economic, administrative, technical, and human resources as they are essential for prevention of and assistance in situations that arise due to forced displacement by violence.

PARAGRAPH. In order to achieve the foregoing objectives, the National System for Comprehensive Assistance to Populations Displaced by Violence shall use the National Plan for Comprehensive Assistance to Populations Displaced by Violence.

ARTICLE 5. CONSTITUTION. The system shall be made up of the group of public, private, and community entities that carry out specific plans, programs, projects, and activities to further comprehensive assistance to displaced populations.

ARTICLE 6. NATIONAL COUNCIL FOR COMPREHENSIVE ASSISTANCE TO POPULATIONS DISPLACED BY VIOLENCE. The National Council for Comprehensive Assistance to Populations Displaced by Violence is created as an advisory and planning body responsible for formulating policy and ensuring budget allocation for the programs that the entities responsible for the functioning of the National System for Comprehensive Assistance to Populations Displaced by Violence are in charge of.

This National Council shall be made up of:

- A delegate of the President of the Republic, who shall preside
- The Presidential Advisor for the Displaced, or the person acting in that capacity
- The Minister of the Interior
- The Minister of the Treasury and Public Credit
- The Minister of National Defense
- The Minister of Health
- The Minister of Agriculture and Rural Development

- The Minister of Economic Development
- The Director of the National Planning Department
- The Ombudsman
- The Presidential Advisor for Human Rights, or the person acting in that capacity
- The Presidential Advisor for Social Policy, or the person acting in that capacity
- The Manager of the Social Solidarity Network, or the person acting in that capacity, and
- The High Commissioner for Peace, or the person acting in that capacity.

PARAGRAPH 1. The Ministers of the Offices that, pursuant to this article, make up the National Council, shall be able to delegate their attendance to the Deputy Ministers or Secretaries General of the respective Ministries. In the case of the Ministry of National Defense, it shall be able to delegate to the Commander General of the Military Forces. In the case of the Director of the National Planning Department, he shall be able to delegate to the Deputy Director of the same Department; the Solidarity Network shall be able to delegate to its Deputy Manager.

When the nature of the displacement calls for it, other Ministers, Administrative Department Chiefs or directors, presidents or managers of decentralized entities at the national level, or representatives from the Organizations for the Displaced shall be invited.

PARAGRAPH 2. The Director of the Office of the Special Administrative Unit for Human Rights of the Ministry of the Interior shall perform the duties of the technical secretariat of the National Council.

ARTICLE 7. DEPARTMENTAL, DISTRICT, AND MUNICIPAL COMMITTEES FOR COMPREHENSIVE ASSISTANCE TO POPULATIONS DISPLACED BY VIOLENCE. The National Government shall promote the creation of departmental, district, and municipal committees for Comprehensive Assistance to Populations Displaced by Violence, responsible for providing support to and cooperating with the National System for Comprehensive Assistance to Populations Displaced by Violence, and these shall be made up of:

1. The Governor or the Mayor, or the person acting in that capacity, who shall preside
2. The Brigade Commander or his delegate
3. The National Police Commander in the respective jurisdiction or his delegate
4. The Director of the Divisional Health Service or the Chief of the respective Health Unit, as appropriate
5. The Regional Director, Zonal Center Coordinator, or Agency Director in the new departments, of the Colombian Institute of Family Welfare

6. A representative from the Colombian Red Cross
7. A representative from the Civil Defense
8. A representative from the churches
9. Two representatives from the Displaced Population.

PARAGRAPH 1. The Committee, by its own decision, shall be able to call together representatives or delegates from other organizations or, in general, civic organizations or people of social relevance in the respective territory.

The Ministry of the Interior or any entity at the national level that is a member of the National Council may attend the sessions of said committees for the purpose of coordinating the execution of the activities and / or providing technical support in any of the areas of intervention.

PARAGRAPH 2. When displacement is produced in populations, settlements, or townships where all of the above-mentioned members cannot be convened, the Committee shall be able to meet with the primary political authority in the place, the police inspector, or the person acting in that capacity, the displaced persons' representative, and / or the representative from the churches, from law enforcement, and from the National Police.

PARAGRAPH 3. In those municipalities or districts where there are displacement situations due to violence, it shall be the obligation of the mayors to call an emergency meeting of the municipal and district committees for Comprehensive Assistance to Displaced Populations. Noncompliance with this provision shall be considered misconduct.

ARTICLE 8. PREVENTIVE ACTIVITIES OF THE MUNICIPAL COMMITTEES.

The preventive activities that the municipal committees shall undertake, among others, shall be:

1. Legal actions. The members of the municipal committee shall, by legal and institutional means, guide communities that may be affected by an act of displacement in the solution of conflicts that may lead to such a situation. Likewise, they shall analyze the viability of the legal actions and they shall recommend or decide the appropriate use of relevant legal or constitutional resources that will minimize or eradicate early stages of persecution or violence.
2. The members of the municipal committee shall try to prevent the early stages of displacement by proposing alternative conflict resolution mechanisms.
3. Assistive actions. The members of the municipal committee shall evaluate the unmet needs of people or communities that may possibly accelerate a forced

displacement process. They shall take appropriate assistive measures based on this evaluation.

CHAPTER II.
NATIONAL PLAN FOR COMPREHENSIVE ASSISTANCE TO
POPULATIONS DISPLACED BY VIOLENCE
SECTION 1.
DESIGN AND OBJECTIVES OF THE NATIONAL PLAN
FOR COMPREHENSIVE ASSISTANCE TO
POPULATIONS DISPLACED BY VIOLENCE

ARTICLE 9. DESIGN. The National Government shall design the National Plan for Comprehensive Assistance to Populations Displaced by Violence, which, once approved by the National Council, shall be adopted by decree.

This plan shall be prepared with the cooperation of the community, private, and public entities that make up the National System for Comprehensive Assistance to Populations Displaced by Violence.

The measures and actions adopted in the National Plan shall take into consideration the special conditions and characteristics of the “expulsion zones” and the “reception zones.”

PARAGRAPH. The National Government shall design and execute, in a period of no more than six (6) months, counted from the date this law enters into force, the plan to which this article makes reference.

ARTICLE 10. OBJECTIVES. The objectives of the National Plan shall be the following, among others:

1. Prepare diagnoses of the causes and agents that give rise to displacement by violence from the zones of national territory where the largest population flows are produced, of the reception zones, of the people and communities that are victims of this situation, and of the political, legal, economic, and social consequences that it produces.
2. Design and adopt safety, policy, legal, economic, and social measures for the prevention and surmounting of the causes that produce forced displacement.
3. Adopt emergency humanitarian assistance measures for displaced populations in order to ensure their protection and the conditions necessary for subsistence and adaptation to the new situation.
4. Create and apply mechanisms to provide legal and lawful assistance to displaced populations in order to guarantee investigation of the acts, restitution for violated rights, and defense of affected assets.

5. Design and adopt measures that guarantee displaced populations access to comprehensive projects, programs, and plans for rural and urban development, offering them the means necessary to create their own forms of subsistence so that their reincorporation into the cultural, work, and social life of the country is carried out without stages of segregation or social stigmatization.
6. Adopt the measures necessary to make possible the voluntary return of displaced populations to their areas of origin, or their relocation to new settlement areas.
7. Provide special assistance to women and children, particularly widows, women heads of household, and orphans.
8. Guarantee special assistance to black and indigenous communities subjected to displacement, in accordance with their ways and customs, and supporting return to their territories, and
9. Other activities deemed appropriate by the National Council.

SECTION 2.
NATIONAL INFORMATION NETWORK FOR ASSISTANCE
TO POPULATIONS DISPLACED BY VIOLENCE

ARTICLE 11. PERFORMANCE. The National Information Network for Assistance to Displaced Populations shall be the instrument that guarantees the National System rapid and efficient national and regional information about violent conflicts, and identification and diagnosis of the circumstances that compel population displacement.

In addition, it shall allow for evaluation of the magnitude of the problem, taking measures for immediate assistance, preparing plans for the consolidation and stabilization of the displaced, and formulating alternative solutions for assistance to populations displaced by violence. This network shall have a special module for follow up of the activities carried out in the development of the National Plan.

ARTICLE 12. LOCAL INFORMATION POINTS. The Presidential Advisory Board for the Displaced and the Office of the Special Administrative Unit for Human Rights, in coordination with municipal and departmental governments, municipal human rights offices, divisional and regional offices of the Ombudsman, the Colombian Red Cross, the church, and organizations for the displaced, shall agree to set up network points in the municipalities of the zones affected by displacement.

ARTICLE 13. OBSERVATORY ON INTERNAL DISPLACEMENT BY VIOLENCE. The National Government shall create an Observatory on Internal Displacement by Violence, which shall produce semiannual reports on the magnitude and trends of displacement, and the results of state policies for

displaced populations. This observatory shall strengthen the National Information Network and shall include the participation of experts and academic centers with recognized track records.

SECTION 3. PREVENTION

ARTICLE 14. PREVENTION. With the purpose of preventing forced displacement by violence, the National Government shall adopt, among others, the following measures:

1. Stimulate the formation of work groups for prevention and anticipation of the risks that may produce displacement.
2. Promote community and citizen actions to generate peaceful coexistence, and law enforcement activity against agents of disturbance.
3. Develop actions to avoid arbitrariness and discrimination, and to mitigate the risks to life, personal integrity, and the private property of displaced populations.
4. Design and execute an International Humanitarian Law Information Plan, and
5. Advise the municipal and departmental authorities responsible for the development plans so that they include prevention and assistance programs.

PARAGRAPH. The Office of the Special Administrative Unit for Human Rights of the Ministry of the Interior shall coordinate with the municipal and / or departmental authorities the convocation of the Security Councils when there are well-founded reasons to believe that a forced displacement will take place.

SECTION 4. EMERGENCY HUMANITARIAN ASSISTANCE

ARTICLE 15. EMERGENCY HUMANITARIAN ASSISTANCE. Once displacement takes place, the National Government shall initiate immediate action to guarantee emergency humanitarian assistance with the purpose of relieving, assisting, and protecting the displaced population, and attending to its needs in the areas of food, personal hygiene, supply management, kitchen utensils, psychological and medical assistance, emergency transportation, and temporary housing in appropriate conditions.

In all cases of displacement, the civil and military authorities in the displaced population reception zones shall guarantee the free passage of humanitarian aid shipments, national and international accompaniment to the displaced population, and the establishment of permanent or temporary offices for the defense and protection of Human Rights and the fulfillment of International Humanitarian Law standards.

While the situation persists, the creation and permanence of inter-institutional teams made up of government and state entities at the municipal, departmental, and national levels shall be sponsored for the protection of the displaced and their personal property.

The Office of the Public Prosecutor and the Office of the Attorney General of the Nation shall undertake, ex officio, investigations into the punishable acts that led to the displacement.

PARAGRAPH. The right to emergency humanitarian assistance has a maximum duration of three (3) months, renewable under exceptional circumstances for another three (3) more.

SECTION 5. RETURN

ARTICLE 16. RETURN. The National Government shall support displaced populations that want to return to their places of origin, pursuant to the provisions contained in this law on the subjects of socioeconomic stabilization, consolidation, and protection.

SECTION 6. SOCIOECONOMIC STABILIZATION AND CONSOLIDATION

ARTICLE 17. SOCIOECONOMIC STABILIZATION AND CONSOLIDATION. The National Government shall promote medium- and long-term actions and measures with the purpose of creating conditions of social and economic sustainability for displaced populations within the framework of voluntary return or resettlement in other urban or rural areas.

These measures shall allow displaced populations direct access to the government's social programs, particularly the programs related to:

1. Profitable projects
2. National System of Agrarian Reform and Rural Development
3. Fostering small business
4. Social organization and training
5. Social assistance in the areas of health, education, urban and rural housing and education, children, women, and the elderly, and
6. Urban and rural employment plans of the Social Solidarity Network

SECTION 7. DISCONTINUATION OF FORCED DISPLACEMENT STATUS

ARTICLE 18. DISCONTINUATION OF FORCED DISPLACEMENT STATUS.

Forced displacement by violence status is discontinued when socioeconomic stabilization and consolidation are achieved, whether in the place of origin or the resettlement zones.

PARAGRAPH. The displaced shall cooperate in the improvement, reestablishment, consolidation, and stabilization of their situation.

SECTION 8. INSTITUTIONS

ARTICLE 19. INSTITUTIONS. The institutions involved in Comprehensive Assistance to Displaced Populations, with their staff and administrative structure, shall internally adopt directives that permit them to provide efficient and timely assistance to displaced populations, within the coordination strategy of the National System for Comprehensive Assistance to Displaced Populations. The institutions with responsibility in Comprehensive Assistance to Displaced Populations shall adopt, among others, the following measures:

1. The Colombian Institute for Agrarian Reform, INCORA, shall adopt special procedures and programs for the transfer, adjudication, and titling of land in the expulsion and reception zones of populations affected by forced displacement, as well as special lines of credit giving priority to displaced populations. INCORA shall maintain a registry of the rural properties abandoned by those displaced by violence and it shall inform the competent authorities in order that they prevent any alienation or transfer of property titles of these assets when such action is carried out against the will of the title holders of the respective rights.

In the return and relocation processes of those displaced by violence, the National Government shall give priority to those in the peasant enterprise zones and / or those rural properties that have been the subject of termination of ownership actions through judicial or administrative decisions.

The Agricultural Institute of Agrarian Reform shall establish a program that will allow receipt of the land of displaced persons in exchange for the adjudication of other properties with similar characteristics in other areas of the country.

The Agricultural Guarantee Fund shall grant 100% guarantees to the loans for profitable projects of the displaced.

2. The Ministry of Agriculture and Rural Development, through the Office of Social Development and the Office of Rural Women, shall design and execute programs for assistance and socioeconomic stabilization and consolidation of displaced populations.

3. The Institute of Industrial Development, through the PROPYME and FINURBANO programs, shall grant special lines of credit in terms of grace

periods, interest rates, guarantees, and amortization periods, for the development of small businesses and profitable projects that are put forward by the beneficiaries of this law.

4. The General Social Security System in Health shall implement ready to use mechanisms so that populations affected by displacement may access rehabilitation, hospital, psychological, dental, surgical, and comprehensive medical assistance services pursuant to that which is established in Law 100 of 1993.

5. The Social Solidarity Network shall give priority at the solidarity desks to the needs of the displaced community and it shall attend to the victims of this phenomenon, connecting them with its programs.

6. The National Office for Equality for Women shall give priority in its programs to women displaced by violence, particularly widows and women heads of household.

7. The Colombian Institute of Family Welfare shall give priority in its programs to the assistance of infants, minors, especially orphans, and family groups, connecting them with the community and family social assistance project in the settlement zones of the displaced.

8. The National Co-financing System shall give preferential assistance to the territorial entities that request co-financing of various projects in order to attend to the needs of populations affected by forced displacement.

9. The territorial entities shall develop special assistance programs in educational matter for populations displaced by violence and they shall access FIS [Social Investment Fund] subsidy program resources for basic education permanence and attendance.

10. The National Ministry of Education and the district, municipal, and departmental Education Offices shall adopt special educational programs for the victims of displacement by violence. These programs shall be in specialized basic and middle education and they shall be carried out in less time and differently from the conventional ones in order to guarantee their rapid effect on the rehabilitation and productive, labor, and social interaction of victims of internal displacement by violence.

11. SENA [National Training Service] shall give priority to and facilitate the access of youth and adults displaced by violence to its technical training and educational programs.

12. The Ombudsman shall design and execute promotion and dissemination programs about International Humanitarian Law standards.

Government entities at the national, departmental, and municipal levels, non-governmental organizations, and Organizations for the Displaced shall be included in these programs.

13. The National Television Commission shall design and execute sensitivity and awareness campaigns on the national television channels in order to prevent forced displacement, and

14. The National Institute of Urban Reform, INURBE, shall develop special housing programs to address the needs of populations displaced by violence.

ARTICLE 20. OFFICE OF THE PUBLIC PROSECUTOR. It is the responsibility of the Office of the Public Prosecutor and its divisional and regional offices to protect and promote the Human Rights and International Humanitarian Law of populations that are victims of forced displacement, as well as to control strict compliance with the obligations assigned to each institution in the National Plan for Comprehensive Assistance to Displaced Populations. The municipal authorities shall immediately inform the appropriate representative from the Office of the Public Prosecutor about any occurrence of displacement or about the occurrence of any events that may lead to it.

CHAPTER III.

NATIONAL FUND FOR COMPREHENSIVE ASSISTANCE TO POPULATIONS DISPLACED BY VIOLENCE

ARTICLE 21. CREATION AND NATURE. The National Fund for Comprehensive Assistance to Populations Displaced by Violence is created and shall function as a special account, without legal capacity, administered by the Ministry of the Interior as a separate system of accounts.

PARAGRAPH. The Presidential Advisory Board for the Displaced shall coordinate the execution of the resources of this Fund.

ARTICLE 22. PURPOSE. The purpose of the National Fund for Comprehensive Assistance to Populations Displaced by Violence is to finance and / or co-finance programs for displacement prevention, emergency humanitarian assistance, return, socioeconomic consolidation and stabilization, and the set up and operation of the National Information Network.

PARAGRAPH. The National Fund's participation in the financing and / or co-financing of the mentioned programs does not exempt municipal, district, departmental, and national entities and institutions involved with comprehensive assistance to displaced populations from managing the resources necessary for execution of the activities under their jurisdiction.

ARTICLE 23. RESOURCES. The resources of the National Fund for Comprehensive Assistance to Populations Displaced by Violence shall be made up of:

1. The resources allocated to it in the General Budget of the Nation
2. Monetary donations received directly by the Fund, prior to incorporation in the General Budget of the Nation, and legally accepted cash donations
3. Loan resources contracted for by the Nation in order to serve the purpose and functions of the Fund, prior to incorporation in the General Budget of the Nation
4. Monetary contributions stemming from international cooperation, prior to incorporation in the General Budget of the Nation
5. Other assets, rights, and resources acquired, adjudicated, or that may be acquired by any legal means.

ARTICLE 24. ADMINISTRATION. The administration of the National Fund for Comprehensive Assistance to Populations Displaced by Violence shall be the responsibility of the Director General of the Office of the Special Administrative Unit for Human Rights of the Ministry of the Interior, who shall be the paymaster by virtue of the authority granted to him by the Minister of the Interior.

ARTICLE 25. ESTABLISHMENT OF REGULATIONS. The National Government, within the three (3) months following the entry into force of this law, shall establish regulations regarding the organization and functioning of the Fund, the objectives and functions that correspond to it, and the system of appropriations and operations in budget and patrimonial matters necessary for its operation. Likewise, the National Government shall make the relevant budgetary adjustments and transfers in the General Budget of the Nation in order to assign to the Fund the resources necessary for fulfillment of its objectives.

TITLE III. LEGAL PROTECTION FRAMEWORK

ARTICLE 26. DEFINITION OF MILITARY STATUS OF THE DISPLACED. Those who have a legal obligation to resolve their military status and who for reasons related to forced displacement have not done so, shall be able to appear in any military district within the year following the date on which displacement occurred in order to resolve said status without being considered remiss.

ARTICLE 27. DISRUPTION OF POSSESSION. The disruption of possession or abandonment of real or personal property due to a situation of violence that compels forced displacement of the possessor shall not interrupt the term of prescription in his favor.

The interrupted possessor in exercise of his rights shall inform the Municipal Human Rights Office, the Office of the Ombudsman, Office of the Agricultural Attorney, or any other entity of the Office of the Public Prosecutor in order that appropriate legal and / or administrative action be taken.

ARTICLE 28. ADMINISTRATIVE AND JUDICIAL PROCEEDINGS TO WHICH A FORCIBLY DISPLACED PERSON IS PARTY. In administrative and judicial proceedings to which a forcibly displaced person is party, the competent authorities shall evaluate, in accordance with the circumstances of the case, the changes of venue, assignments, transfers, and other necessary measures in order to guarantee the speed and efficiency of the processes with which proceedings deal, without prejudicing the rights of third parties.

TITLE IV. OTHER PROVISIONS

ARTICLE 29. PROTECTION OF DISPLACED PERSONS. The Office of the Special Administrative Unit for Human Rights of the Ministry of the Interior shall provide protection to people displaced by violence with regard to which there are well-founded reasons to fear for their safety, within the parameters established in the National Plan for Comprehensive Assistance to Displaced Populations. Evaluation of the safety status of the displaced shall be performed in close cooperation with the Office of the Public Prosecutor, the church, and the non-governmental organizations that carry out activities in the expulsion zones.

ARTICLE 30. SUPPORT TO ORGANIZATIONS FOR THE DISPLACED. The National Government shall provide the necessary guarantees to the organizations for the displaced and to the non-governmental entities that carry out activities in support of human rights and the internally displaced.

ARTICLE 31. CONGRESSIONAL REPORTS. With the purpose of evaluating the development of the National Plan for Comprehensive Assistance to Populations Displaced by Violence, the National Government shall submit to the Congress of the Republic, before March 16 of each year, a report on the execution of the plan and the corrective measures and proposals for action to follow.

ARTICLE 32. BENEFITS ESTABLISHED IN THIS LAW. <Article amended by article [32](#) of Law 962 of 2005. The new text follows:> Those Colombians who find themselves in the circumstances described in article [1](#) of this law and who have reported those acts before the Office of the Attorney General of the Nation, or before the Office of the Ombudsman, or before the District or Municipal Office of Human Rights, in the unique format designed by the Social Solidarity Network, shall have the right to receive the benefits established in this law. Any of those organizations that receive the mentioned statement shall submit a copy of the same, not later than the following working day, to the Social Solidarity Network or

to the office that it designates at the municipal, district, or departmental level, for registration in the benefits program.

PARAGRAPH. When it is established that the acts reported by someone alleging displaced status are untrue, this person shall lose all the benefits that this law grants, without prejudice to appropriate criminal penalties.

<Validity Notes>

- Article amended by article 32 of Law 962 of 2005, published in the <i>Diario Oficial</i> No. 45,963 of July 8, 2005.
- Numbers 1 and 2 amended by article 74 of Decree 266 of 2000, published in the <i>Diario Oficial</i> No. 43,906 of February 22, 2000. UNENFORCEABLE.
- Numbers 1 and 2 amended by article 135 of Decree 1122 of 1999, published in the <i>Diario Oficial</i> No. 43,622 of June 29, 1999. UNENFORCEABLE.

<Jurisprudence – Validity>

Constitutional Court:
- Decree 266 was [sic] 2000 was declared UNENFORCEABLE by the Constitutional Court via Decision C-1316-00 of September 26, 2000, Hon. Carlos Gaviria, Justice reporting the opinion of the Court. As of its promulgation.
- Decree 1122 of 1999 was declared UNENFORCEABLE by the Constitutional Court via Decision C-923-99 of November 18, 1999, Hon. Alvaro Tafur Galvis, Justice reporting the opinion of the Court.

<Prior Legislation>

Original text of Law 387 of 1997:
ARTICLE 32. Those Colombians who find themselves in the circumstances described in article 1 of this law and who meet the following requirements shall have the right to receive the benefits established in this law.
1. They have reported those acts before the Office of the Attorney General of the Nation, the Office of the Ombudsman, the District or Municipal Office of Human Rights, or any other judicial office in accordance with the procedures of receipt for each entity, and
2. In addition, they submit for its registration a copy of the statement about the acts that the previous number discusses to the Office of the Special Administrative Unit for Human Rights of the Ministry of the Interior, or to the office that this entity designates at the municipal, district, or departmental level.

PARAGRAPH. When it is established that the acts reported by someone alleging displaced status are untrue, this person shall lose all the benefits that this law grants, without prejudice to appropriate criminal penalties.

Text amended by Decree 266 of 2000, declared UNENFORCEABLE by the Constitutional Court:

1. They have reported those acts before the Office of the Attorney General of the Nation, the Office of the Ombudsman, the District or Municipal Office of Human Rights, in the unique format designed by the Social Solidarity Network.

2. In addition, they submit for registration to the Social Solidarity Network, or to the office that this entity designates at the municipal, district, or departmental level, a copy of the statement about the acts that the previous number discusses.

Text of Law 387 of 1997 amended by Decree 1122 of 1999, declared UNENFORCEABLE by the Constitutional Court:

1. They have reported those acts before the Office of the Attorney General of the Nation, the Office of the Ombudsman, the District or Municipal Office of Human Rights, in the unique format designed by the Social Solidarity Network.

2. In addition, they submit for registration to the Social Solidarity Network, or to the office that this entity designates at the municipal, district, or departmental level, a copy of the statement about the acts that the previous number discusses.

ARTICLE 33. In carrying out the provisions of article [87](#) of the National Constitution, the beneficiaries of this law, the non-governmental organizations, and the official entities responsible for the defense or promotion of Human Rights shall fulfill [them] in order to legally compel the full effectiveness of the rights established in this law in favor of the displaced.

While article [87](#) of the National Constitution is legally carried out, fulfillment takes place pursuant to jurisdictional and procedural provisions established in Decree number 2591 of 1991 on action for protection of constitutional rights.

ARTICLE 34. VALIDITY OF THE LAW. This law is in effect as of its promulgation.

Speaker of the honorable Senate of the Republic,
LUIS FERNANDO LONDOÑO CAPURRO
Secretary General of the honorable Senate of the Republic,
PEDRO PUMAREJO VEGA
Speaker of the honorable House of Representatives,
GIOVANNI LAMBOGLIA MAZZILLI
Secretary General of the honorable House of Representatives,
DIEGO VIVAS TAFUR

REPUBLIC OF COLOMBIA – NATIONAL GOVERNMENT

Let it be published and executed.

Issued in Ibagué, on July 18, 1997.

ERNESTO SAMPER PIZANO

The Minister of the Interior,

CARLOS HOLMES TRUJILLO GARCIA

The Minister of the Treasury and Public Credit,

JOSE ANTONIO OCAMPO GAVIRIA

The Minister of National Defense,

GILBERTO ECHEVERRI MEJIA