

DECISION T- 267/11 The “Pavas” case.

The Constitutional Court ruled that the peasants from the municipality “El Peñon (Bolívar province) who inhabited the farm called “Las Pavas” and who had been displaced by drug-traffickers and paramilitaries, could return to their land. The Court considered that the decision by the police to evict the peasants was contrary to the Constitution, on the ground of lack of competence of the police authorities and because a process of “termination of ownership” was pending and should have been respected. The Constitutional Court asked the Colombian Institute for Rural Development (INCODER) to lead to a successful and early conclusion of the termination of ownership, with a view to providing stability to the nearly 600 families displaced. Although this High Court has no power to order the return of lands to the displaced people, in this case, the Court has made it clear that until the Colombian Institute for Rural Development (INCODER) completes the process, the families who remained there shall not be evicted.