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LAND RESTITUTION IN CONFLICT.

Obstructions to secure and effective land possession in Colombia, and formalization of property rights based in a land restitution programs and transitional justice.

Author: Omar Monroy
Supervisor: Maria Marouda

Abstract

The issue of land inequality was what provoked the agrarian conflict in Colombia. This in turn gave birth to the violence, guerrillas and paramilitary groups. Since the earliest fifties, the matter of land has been the purpose of the internal displacement in the country. The government has intended to confront this issue in multiple forms. The first attempt to solve the land inequality was through the establishment of land reform measures. Nonetheless, the government failed to do so. Subsequently, the aim of land restitution to internal displaced population was reflected through the first legal instrument of Transitional Justice in Colombia, the law 975 of 2005. The purpose of this research is to evaluate the obstructions and difficulties in the application of the victims and land restitution law 1448 of 2011. Furthermore, to identify the weaknesses that hinder to secure and effective land possession through the formalization of property rights, based in land restitution in conjunction to transitional justice. This research is founded in the development of the application of Transitional Justice, and the law 1448 of 2011, in relation to the process of land restitution for internal displaced population.

Keywords: Land Conflict, Internal Displacement, Peace Process, Land Restitution, Transitional Justice, Colombia, Ethnic Communities, Victim Reparations, Law 1448 – 2011, Peace Process.

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Peña Monroy, Omar

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