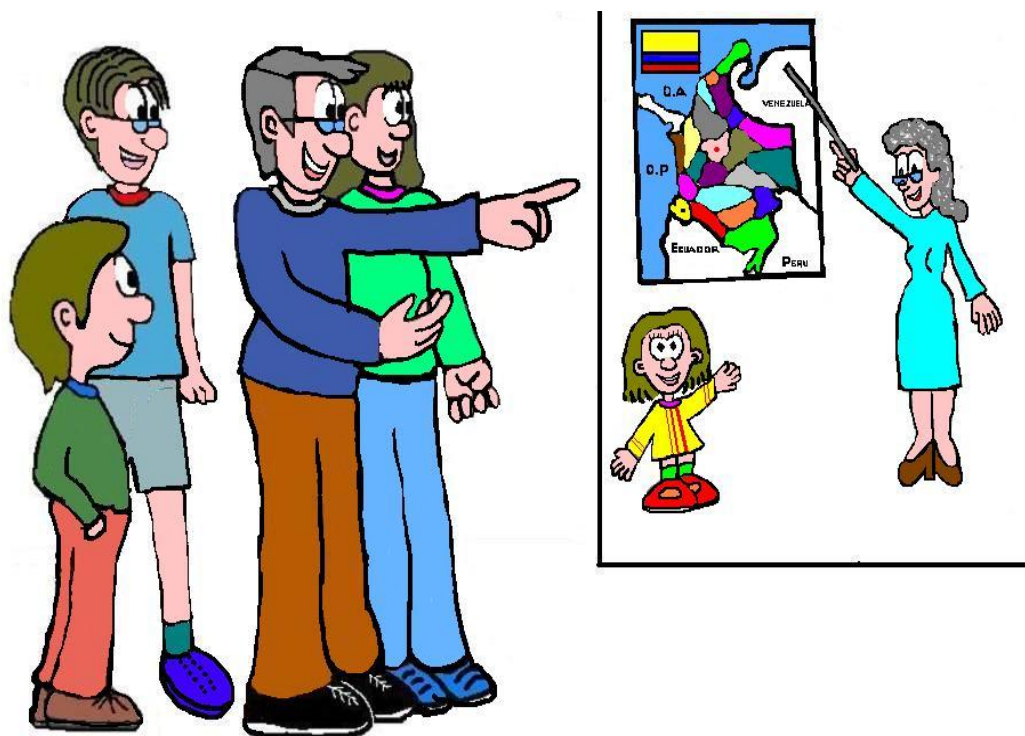


THE CHAPTER XII

THE TERRITORIAL ORGANIZATION: THE DEPARTMENTAL RÉGIME, DISTRITAL AND MUNICIPAL COLOMBIAN



Xabier

I. THE DIALOGUE CONSTITUTIONAL: THE COLOMBIAN TERRITORY AND THEIR POLITICAL-ADMINISTRATIVE DIVISION

ARMANDO: *Lucio*, looks our sister at *Victoria* with his teacher *Marina* in class of geography. She teaches him the political-administrative division of Colombia that they are exist more than a thousand municipalities, about thirty two departments, three districts special and several indigenous territories. Likewise that Colombia is a privileged territory with lands and beaches in the two oceans: Atlantic and Pacific. Let us wait that *Victoria* counts us at home that more important aspects of the Unitary Republic of Colombia have taught him. For the time being I see it very happy of all that that this learning.

LUCIO: Indeed, Armando. Our sister is excessively happy. I believe that their teacher him this commenting that starting from 1991, those bigger than eighteen years can elect the Mayors popularly, Councilmen, Members of the Local administrative Assembly, Governors, Deputies and Congress members, and in

such a virtue, knows that I am very next to make it and she wants to see that face puts when financing for the first time. In any event, I won't give him that pleasure, because to her they won't allow him to pass to the cubicles and voting tables. For the time being, better than enjoyment their class and learn that in our territory there are many wealth in land, Subsoil, continental platform, seas and air and that it is necessary to preserve and to protect them for all the inhabitants.

MARÍA PAZ: My love looks at our small Victoria so happy. Their teacher will be commenting him that the Colombian Territory has besides the mineral wealth, ichthyologic, vegetables, animals, etc.; other not less important as the cultural, literary, musical, culinary, of wardrobes and instruments of folklore according to the political-administrative regions, the municipalities, departments and indigenous territories where we are. For sure her, it should be delighted with the quantity of rhythms, dances, wardrobes and music of the different departments of Colombia, more when to her as dancer folklore likes him to dance the *cumbia*, music *llanera*, the *guabina*; and for their position, the *ñapanga* of the Colombian south.

LIBORIO: Maria Paz, your well knows Victoria, always cheerful, restless, and intelligent and understood with the folklore and the Colombian music. But the topic of the territorial division of our State seems to have fascinated her so much that he/she doesn't want to leave the living room of classes. She would feel maybe extremely happy if he/she knew that our territory can change in its political-administrative structure, to become for example, in an Autonomous State with geographical regions that are identified not only with the territory, but also with the musical, instrumental and literary culture, the idiosyncrasy of its people, the wealth of land and Subsoil and the social, political identity and even its inhabitants' nun.

II. THE CONSTITUTIONAL LESSON: THE NATION, THE DEPARTMENTS, THE DISTRICTS, THE MUNICIPALITIES AND THE INDIGENOUS TERRITORIES

Colombia is a social state of right organized in form of unitary, decentralized Republic, with autonomy of its territorial entities, according to the Preamble and the article 1^o of the Political Constitution of 1991.

The Colombian Territory understands some geographical regions, defined naturally by rivers, mountains, oceans or artificially for limits or material markers according to the case. To part of the Nation that embraces the entirety of the Colombian territory, this is composed of Departments, Special Districts, Municipalities and Indigenous Territories.

The Departments are the territorial entities that contain to two or more Municipalities and that it is directed by Individual Authorities, as the Government, represented by the Governor, and for collegiate authorities as the Departmental Assemblies, integrated by servants of the State called Deputies. In Colombia, at the moment thirty two Departments exist, because before the Constitution of 1991, some inferior territorial entities existed to the Municipality, but superiors to these, denominated Intendancies and *Commissaries* that became Departments starting from the new Constitution, just as it happened to the Intendancy of the Putumayo or that of *San Andrés, Providencia* and *Santa Catalina*, or the *Commissaries* of the *Vaupés* and *Guainía*.

The Municipality as fundamental entity of the political-administrative division of the State, territorially this compound one for a group of *veredas*, *corregimientos* and cities. In Colombia they exist at the moment more than a thousand of municipalities belonging to each one of the departments. The Mayors are the individual authorities of the Municipalities, and the Councilmen the collegiate authorities. The Constitution of 1991, strengthened to the Municipalities to the point that he/she gave him political autonomy (popular election of its individual authorities and collegians), administrative autonomy (competitions for self-government and to be restructured) and tributary autonomy (Collection of tributes of the national and of regulation, collect and distribution of the municipal tributes, as the property unified, or that of industry and trade). The Municipalities are divided in communes and *corregimientos* and in each one of them can work the Local administrative Assembly.

The Specials District, are special territorial entities in their administrative, fiscal and political régime, composed by a series of integral towns of the big Colombian cities. We have this way the Capital District of the Republic of Colombia: *Bogotá*; and, *Santa Marta's* Tourist, cultural and historical Districts and *Cartagena*. The authorities are the Mayor District, the Mayors of Towns and the Councilmen Districts.

The indigenous Territories, are special territorial entities with special régime that until they have not still been regulated properly by the law. These territories are governed by the Town councils regulated according to the uses and indigenous customs that have among other functions: to design the politicians and the plans and programs of economic and social development within their territory, in harmony with the national plan of development and to coordinate the programs and projects promoted by the different communities in their territory.

II. THE CONSTITUTIONAL GLOSSARY

ADMINISTRATIVE REGIONS AND OF PLANNING: Two or more departments will be able to constitute them. They have personality juridical, autonomy and own patrimony. Their main object will be the economic and social development of the respective territory. The territorial entities that associate to structure these regions will conserve their political and territorial identity.

COMMUNE: Territorial division of the urban areas. Each commune can contain several neighborhoods or urbanizations of a city. In each commune a Local Administrative Assembly exists.

CORREGIMIENTOS: They are the territorial divisions of the rural areas of a municipality. They are also the basic territorial units of the Ordinance Colombian, conformed by a group of people that you/they unite to improve their social, economic, political and cultural development. The *corregimientos* has as authorities to the *Corregidor*, police's inspectors and the Local Administrative Assembly or LAA.

COUNCILMEN: They are elected by popular vote for a constitutional period of four (4) years in the Municipal Council. The law may determine the cases in which the councilmen will be entitled to honoraria for their attendance to sessions. The councilmen won't have the status of employee publics.

DEPARTMENTAL ASSEMBLY: It is a regional administrative Corporation of popular election integrated by deputies, which issue acts administrative denominated Ordinances and Resolutions.

DEPARTMENT: territorial Entity of the regional administrative level of the State that has as main authorities to the Governor and the Departmental Assembly.

DISTRICT: Territorial entity of the Local administrative level that has as principal authorities to the Senior Mayor and the Mayors of the localities, like in the case of the Capital District of Bogotá and for Mayors distritales and for councils Distritales in the other Colombian districts, as occur in the tourist and historical Districts of *Cartagena* and port and tourist of *Barranquilla*.

DEPUTIES: Servants of the State of the regional administrative level, of popular election. It completes a constitutional period of four (4) years in the Departmental Assembly. Has a salary régime and special benefits.

GOVERNOR: Servant of the State of regional administrative level, of popular election. This completes a constitutional period of four (4) years. The Governor is the legal representative of the department, the Chief of the Departmental Public administration and Supreme head of Police in the department. Has a salary régime and special benefits.

INDIGENOUS TERRITORIES: Territorial entity of special administrative level that has as authorities to the indigenous councils, which are conformed and regulated according to the uses and the customs of the indigenous communities.

MAYOR: Servant of the State of popular election for a constitutional period of four (4) years. It is head of the local authority, legal representative of the municipality and Supreme head of Police in the municipality. It is not reelected for the following period. Has a régime special of salary and the benefits.

METROPOLITAN AREAS: It forms associative, when two or more municipalities have economic, social and physical relationships that give to the characteristic group of a metropolitan area, they may be organized as administrative entity in charge of to program and to coordinate the harmonic and integrated development of the territory placed under their authority; streamline the provision of public services and if such is the case, jointly provide some of them; and carry out urban projects.

MUNICIPALITY: The fundamental entity of the political-administrative division of the State, it is the responsibility to provide those public services that it determines the law, to build the works that it demands the local progress, to arrange the development of its territory, to promote the community participation, the social and cultural improvement of its inhabitants and to perform the other functions assigned to it the Constitution and the laws. This is territorial entity that has as principal authorities to the Mayor and the Municipal council. The Colombian Municipality is divided in Communes and *corregimientos*.

MUNICIPAL COUNCIL: It is the Local administrative Corporation of popular election integrated by councilmen, which issue acts administrative denominated Agreements and Resolutions. In our country there are municipal councils, districts and native, in accordance to the territorial area and the attributions that carry out in the municipality, district or indigenous territory. The Indigenous Town councils have a special legal regulation in the conformation, period and functions.

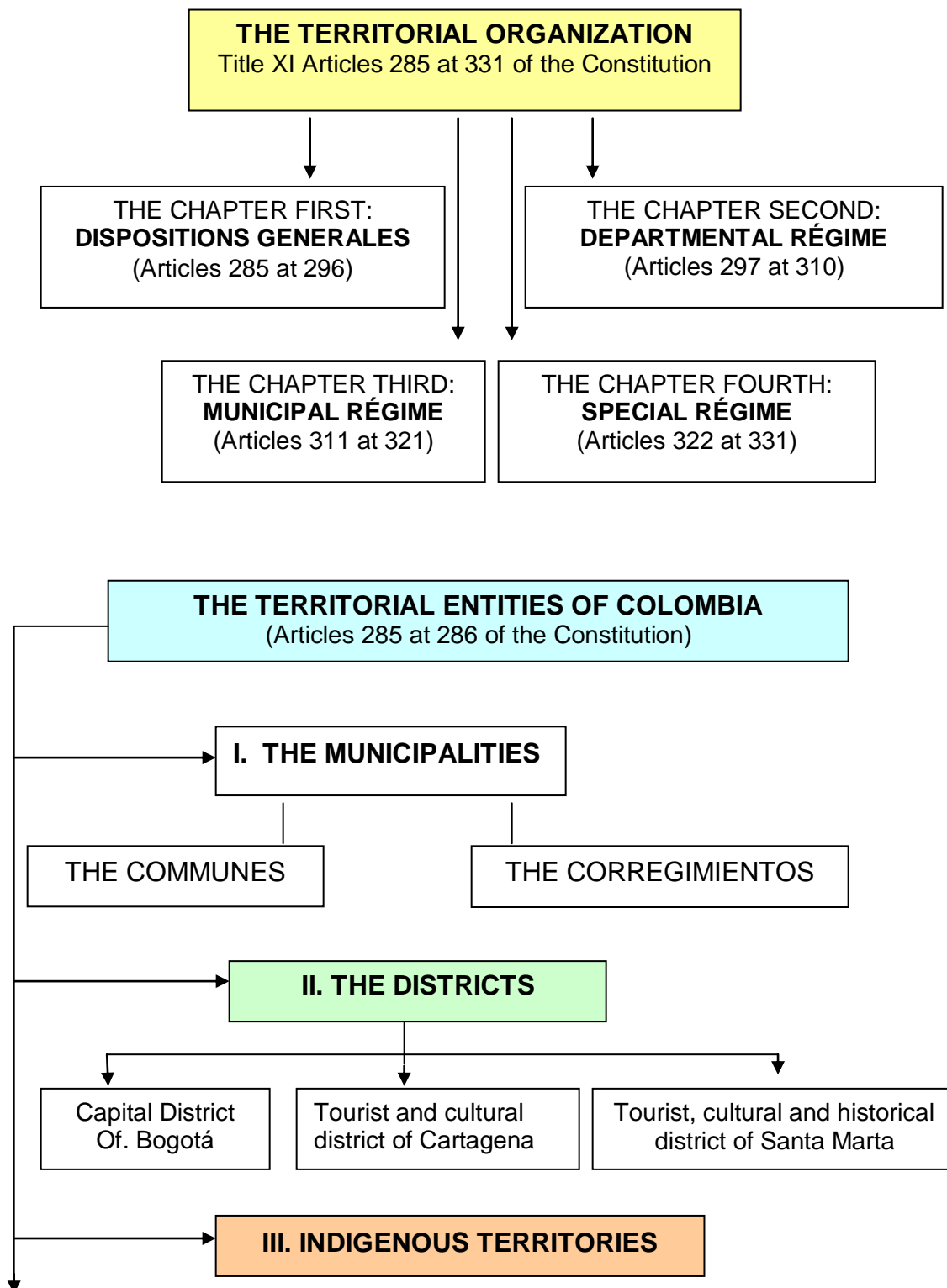
LOCALITIES: Territorial division of the Capital District of Colombia: Bogotá. Each one of the localities is conformed by several neighborhoods or urbanizations of the city. In each these carry out their functions the Mayor and Local administrative assembly or LAA.

LOCAL ADMINISTRATIVE ASSEMBLY: (or LAA). They are administrative organisms of popular election that carry out works in the Communes and *Corregimientos* and they exercise functions provided in the law or delegated by the Municipal Councils.

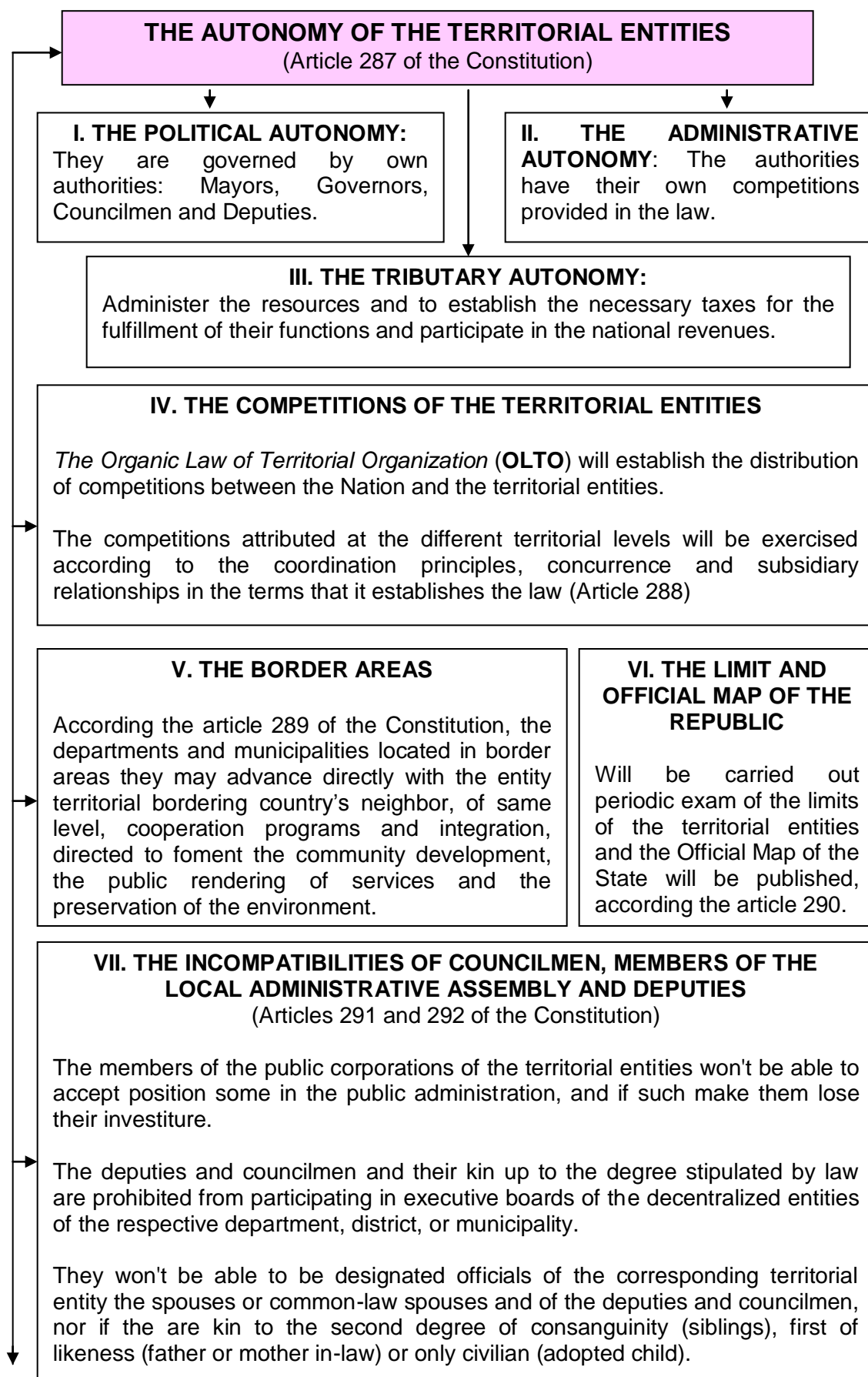
TERRITORIAL AUTONOMY: They are the Group of attributions or competitions of entitled of territorial the Entities that it plows characterized by their independence, specificity and exclusivity. In Colombia the Territorial Entities enjoy administrative autonomy, political autonomy and autonomy for the collect and distribution of their own tributes.

TERRITORIAL ENTITIES: they are public law persons that can contract obligations and to exercise rights and duties. In our country they are considered as such, the Nation, the Departments, the Districts, the Municipalities and the Indigenous Territories

IV. THE PRECISION CONSTITUTION: THE COLOMBIAN TERRITORY, THEIR DIVISION POLITICIAN ADMINISTRATIVE AND JURIDICAL RÉGIME AND OF FUNCTIONS







VIII. THE JURIDICAL RÉGIME OF THE TERRITORIAL ENTITIES AND OF THE SERVANTS OF THE STATE

(Articles 293 at 296 of the Constitution)

The Servants of the State of the territorial entities will have an administrative juridical régime and politician foreseen in the law.
The territorial Entities will have a taxation system, but without privileges.
The Acts and Orders of the President in Public order are applied immediately and of preference to that of Governors, and those of these to that of the Mayors.

THE DEPARTMENTAL RÉGIME OF COLOMBIA

(Title XI. Chapter II, Articles 297 at 310 of the Constitution)

- I. THE FORMATION:** The departments are believed of conformity with the law and with *The Organic Law of Territorial Organization* (OLTO)
- II. THE AUTONOMY:** they have administrative autonomy, planning and promotion of the economic and social development
- III. THE FUNCTIONS:** The departments have administrative functions of coordination and of complementation of the municipal action, of intermediation between the Nation and the municipalities and of public services.
- IV. THE SPECIAL COMPETITIONS:** One or more departments by means of law can carry out functions characteristic of organisms or national entities

THE DEPARTMENTAL ASSEMBLY

I. WHAT IS IT? WHO DO INTEGRATED IT?

The Departmental Assembly, it is an administrative corporation of popular election, will be integrated for not less than eleven (11) members neither more than thirty one (31). This corporation will enjoy administrative autonomy and Budget own.

The members of the Departmental Assembly will be entitled to the remuneration for their attendance sessions and they will be aided by a régime of benefits and social security, in the terms determined bylaw (Article 299, subsection 1, Modified by Act Legislative 01 of 1996).

II. THE DELEGATE OF FUNCTIONS

The law will stipulate the cases in which the assemblies may delegate to the municipal councils the functions that the law determines. In any moment, the assemblies may resume the exercise of the delegated functions (Article 301)



III. THE FUNCTIONS OF THE DEPARTMENTAL ASSEMBLY

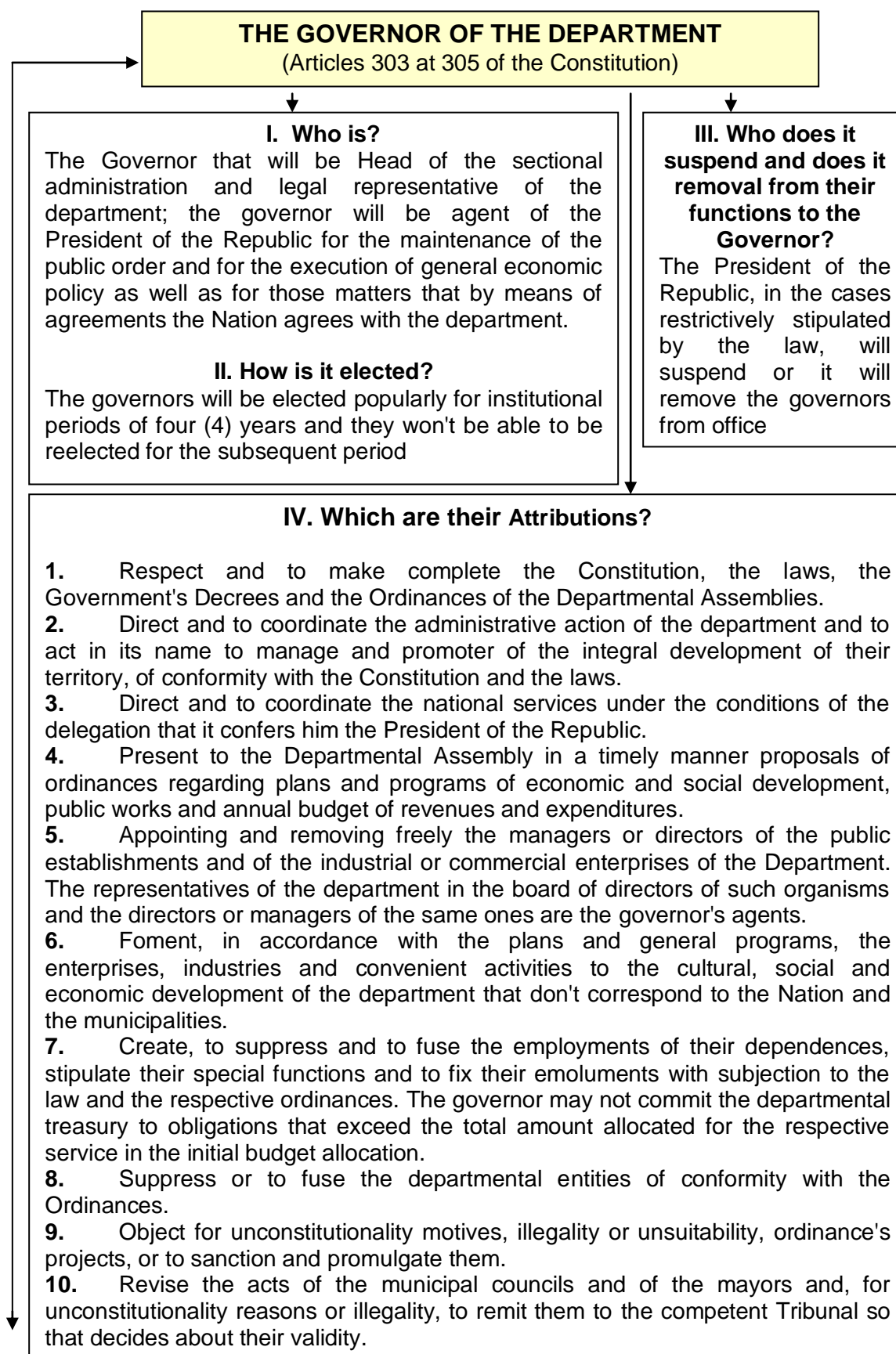
(Article 300 of the Constitution, modified by Act legislative 1/1996, article 2)

It corresponds to the Departmental Assemblies, by means of Ordinances:

1. Regulate the exercise of the functions and provide of the services in charge of the Department.
2. Issue the dispositions related with the planning, the economic and social development, the financial and credit support to the municipalities, the tourism, the transport, the environment, the public works, the communication via and the development of their frontier areas.
3. Adopt of accordance with the Law the plans and programs of economic and social development and those of public works, with the determination of the investments and means that are considered necessary to promote their performance and to secure their completion.
4. Decree, of conformity with the Law, the taxes and necessary taxes for the fulfillment of the departmental functions.
5. Issue the organic norms of the departmental budget and the annual budget of revenues and expenditures.
6. Subject to the requirements stipulated by law, create and suppress municipalities, segregate and add municipal territories, and to organize provinces.
7. Determine the structure of the Departmental Administration, the functions of their dependences, the remuneration scales corresponding to their different employment categories; to create the public establishments and the industrial or commercial enterprises of the department and to authorize the formation of societies of mixed economy.
8. Dictate police norms in everything that that is not matter of legal disposition.
9. Authorize the governor of the department to celebrate contracts, to negotiate loans and to sell property, and exercise, pro tempore, specific functions that pertain to departmental assemblies.
10. Regulate, in concurrence with the municipality, the sport, the education and the health in the terms that it determines the Law.
11. Request reports on the exercise from their functions to the General Comptroller of the Department, Secretary of Cabinet, heads of Administrative Departments and Directors of Decentralized Institutes of the Departmental order.
12. Fulfill the other functions assigned to it the Constitution and the Law.

The plans and programs of development of public works, they will be coordinated and integrated with the plans and municipal, regional and national programs.

The ordinances to that refer the subsection ones 3, 5 and 7 of this article, those that decree investments, participations or transfer of revenues and departmental property and those that create services for which the department is responsible or transfer the responsibility to them may be dictated or amended only upon the initiative of the governor.



11. Supervise the exact collection of the departmental revenues, of the decentralized entities and those that are object of transfers for the Nation.
12. Convoke to the departmental assembly to special sessions in which it may only consider of the issues and matters for that which was convoked.
13. To select from the list, originating from the respective national head the managers or sectional heads of the public institutions at the national level in accordance with the law under which the department operates.
14. Exercise the administrative functions that the President of the Republic may delegate to the governor.
15. Other matters stipulated by the Constitution, the laws and the ordinances.

THE ADMINISTRATIVE REGIONS AND OF PLANNING

(Articles 306 at 310 of the Constitution)

I. What are they?

Two or more departments may constitute in administrative regions and of planning, with personality juridical, autonomy and own patrimony. Their main object will be the economic and social development of the respective territory.

(The subsection 2 of the article 306, was declared unconstitutional by Sentence C-313-2004 of the Court Constitutional Colombians)

II. Which is the Law and Administrative régime?

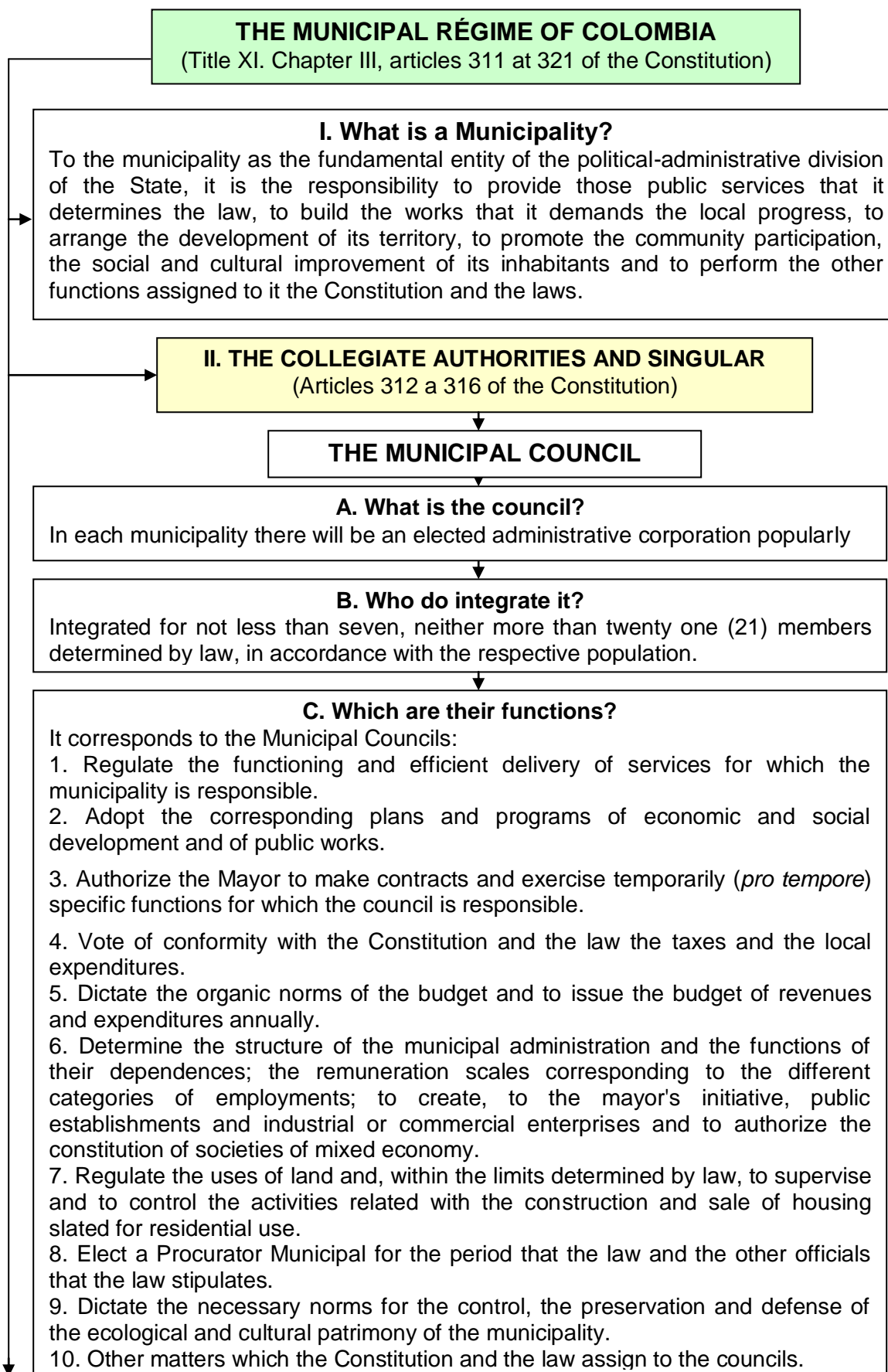
The respective Organic Law, previous concept of *the Committee of Territorial Organization*, will establish the conditions to request the conversion of the Region in territorial entity. The decision taken by the Congress will be submitted in each case the citizens' of the interested departments Referendum.

The same law will establish the attributions, the administration organs, and the resources of the regions and their participation in the handling of the revenues originating from the National Endowment Fund. Equally it will define the principles for the adoption of the special statute of each region

III. Do special régimes exist for some departments?

The following will be transformed into departments: Intendancies of *Arauca, Casanare, Putumayo*, San Andrés' Archipelago, Providencia and Santa Catalina, and the *Commissaries* of the *Amazonas, Guaviare, Guainía, Vaupés* and *Vichada* (Article 309).

The department of San Andrés Archipelago, Providencia and Santa Catalina will be regulated, in addition to the provision in the Constitution and the laws for the other departments, by special provisions which in administrative, immigration, fiscal, foreign trade, exchange, financial, and economic development matters will be established by the legislature



III. THE MAYOR

(Articles 314 at 315 of the Constitution)

A. Who is?

In each municipality there will be a mayor, Head of the local authority and legal representative of the municipality that it will be chosen popularly for institutional periods of four (4) years, and won't be able to be reelected for the following period.

B. Which are their functions?

They are the mayor's attributions:

1. Complete and to make complete the Constitution, the law, the government's decrees, the ordinances, and the agreements of the Council.
2. Conserve the public order in the municipality, of conformity with the law and the instructions and orders that receives from the President of the Republic and of the respective governor. The mayor is the first authority of police of the municipality. The National Police will fulfill readiness and it obtains the orders that the mayor imparts him for conduit of the respective one major.
3. Direct the administrative action of the municipality; to assure the fulfillment of the functions and the benefit from the services to their position; to represent it judicial and extrajudicial capacity; and Appointing and removing the officials under their dependence and to the managers or directors of the public establishments and the industrial or commercial enterprises of local character, in accordance with the pertinent dispositions.
4. Suppress or to fuse entities and municipal dependences, of conformity with the respective agreements.
5. Present to the People council in a timely manner the agreement projects on plans and programs of economic and social development, public works, annual budget of revenues and expenditures and the other ones that it estimates convenient for the good march of the municipality.
6. To sanction and promulgate the agreements which the Council may have approved and to object those that he/she considers inappropriate or contrary to the legal regulations.
7. Create, eliminate, or merge positions under the mayor's jurisdiction, to stipulate their special functions and determine their emoluments in accordance with the relevant agreements. The mayor may not create obligations that exceed the total amount allocated for personnel expenditures in the approved budget allocations.
8. Collaborate with the People council for the good acting of their functions, to present him general reports on their administration and to convoke it to special sessions, in which it may only consider of the issues and matters for which it was mentioned.
9. Manage municipal expenditures in accordance with the investment plan and the budget.
10. Other matters which the Constitution and the law stipulate.

IV. THE JURIDICAL, POLITICAL AND TRIBUTARY RÉGIME OF THE MUNICIPALITY

(Articles 316 at 319 of the Constitution)

For the election of local authorities and for the decision of matters of like, nature, only citizens residing in the respective municipality may participate.

Only municipalities may tax real estate. This does not bar other entities from imposing appraisal levies.

With the purpose of to improve the benefit of the services and to assure the participation of the citizenship in the handling of the public matters of local character, the Municipal Councils may divide their municipalities in communes when it is urban areas, and in *corregimientos* in the case of the rural areas (Article 318). In each one of these made up the Local administrative Assembly work (LAA), elected by vote popularly for 4 years.

V. THE CATEGORIAZACION OF THE MUNICIPALITIES

(Article 320 of the Constitution and Law 136/94 reformed by Law 617 of 2000)

The law may establish categories of municipalities according to their population, fiscal resources, economic importance, and geographic situation, and stipulate a specific regime for their organization, government, and administration.

Six exist (6) categories of municipalities and a special category.

THE RÉGIME JURIDICAL OF THE PROVINCES

(Article 321 of the Constitution)

The provinces are made up of municipalities or adjacent indigenous territories belonging to the same department.

The provinces will be created by ordinance, at the initiative of the governor, the mayors of the respective municipalities, or a number of citizens determined by law.

The department and municipalities will provide to the provinces the percentage of their current revenues that the assembly and respective councils determine.

**THE SPECIAL RÉGIME:
THE DISTRICTS, METROPOLITAN AREAS, INDIGENOUS TERRITORIES
AND AUTONOMOUS CORPORATIONS**
(Title XI. Chapter IV, Articles 322 at 331)

I. THE CAPITAL DISTRICT OF BOGOTÁ:

Bogotá, capital of the Republic and of the Department of *Cundinamarca*, is organized as the District Capital.

Their political, fiscal, and administrative regime is determined by the Constitution, the special laws that are prescribed for it, and the provisions applicable to the municipalities.

THE COUNCIL DISTRICTAL. For a period the 4 years

THE MAYOR DISTRICTAL (or Senior Mayor) it is elected by vote popularly for 4 years

MAYOR OF THE LOCALITIES They are elected by Mayor of the District.

THE ANNUAL BUDGET The Local Administrative Assembly (LAA) distributes it and they adapt it.

THE METROPOLITAN AREA The Capital District may form a metropolitan area with the adjacent municipalities and a region with other territorial entities of departmental character, with the purpose of guaranteeing the performance of the plans and programs of integral development and the timely and efficient provision of the services for which it is responsible.

ELECTIONS The election of the district mayor, of district councilmen, and of *aldermen* will be held on the same day for a period of 4 years.

II. THE TOURIST AND CULTURAL DISTRICTS OF SANTA MARTA AND CARTAGENA Juridical Régime: Article 328 of the Constitution and Law 768 /2000.

III. THE INDIGENOUS TERRITORIES

The conformation of the indigenous territorial entities will be made with subjection to that prepared in the Organic law of Territorial Organization, and its delimitation will be made by the National Government, with the representatives' of the communities indigenous, previous concept of the Committee of Territorial Organization participation.

The reservations constitute collective property and are alienable.

IV. THE AUTONOMOUS REGIONAL CORPORATION OF THE RIO GRANDE DE LA MAGDALENA entrusted with the improvement of navigation, port activity, the improvement and conservation of land, the generation and distribution of energy, and the use and conservation of the environment, ichthyologic resources, and other renewable natural resources will be established.

The law will determine its organization and sources of financing and will define in favor of the riparian municipality special treatment in the assignment of benefits and in their share of current national revenues.

V. THE CONSTITUTIONAL READING: COLOMBIA: AN AUTONOMOUS STATE?

In March 29, 2001 publish in entitled portal our: **REVIEW ELECTRONIC OF MINIMUM PUBLIC LAW** (<http://derechopublico.udenar.edu.co>), the Article: **COLOMBIA: AN AUTONOMOUS STATE?** An apart from the same one is the following one:

In the Colombian Political Constitution of 1991, our country was identified normatively as a “*social State of right organized in form of unitary, decentralized republic, with autonomy of its territorial entities*” This predicament is a so much dislocated in the practice as in the constitutional and legal theoretical foundation, since this onlooker mixture of Unitary State with characterizations of Autonomous State and State-region recently probable to maintain an unique formula of State and, on the contrary power a structuring of a State with regional autonomies in the political, administrative, tributary and normative. Our current State Colombian today per today, he/she has more reasons to continue in the one on the way to the invigoration of a State with managed regional autonomy to reach a superior stadium of autonomous State, to the style of the Iberian autonomies in an initiation stadium like they were it in 1978 that to an unitary State with legislative, judicial, financial and fiscal centralism, like he/she preaches our constitutionalism and it is sustained and it defends for a considerable sector of the doctrine Colombian *ius-publicist* (...).

Conclusions:

The Colombian State, today per today, from the constitutional point of view, legal as practical difficultly can be considered an Unitary State with *sui generis* régime of administrative and political decentralization, since the regimens of political, administrative, territorial, normative autonomy, of I collect and tributary administration and of holding in the national dividends are perceptibly superiors to the regimens of “*gradual or partial Autonomy*” of the autonomous States in some of them or very same in other, to the existent ones at the moment in the autonomous States as Spain.

Colombia, starting from 1991 deepened the régime of autonomy Latin American type that already from the Constitution of 1886 he/she came being praised with the call “*administrative decentralization*” and altered in 1986, by means of the Act Legislative Num. 1º of that year and well-known as “*political decentralization*” The Constitution of the 91, without mufflers expressly in several of their norms and even from the same Preamble of the Constitution it not only elevated to constitutional range the term of “*autonomy of the territorial entities*” (municipalities, departments, districts and indigenous territories) but rather he/she explained and it sustained the classes of autonomy that can show this territorial entities in the political field (“Self-government”), administrative (The function and regional and local public service), territorial (The Region, the localities and the indigenous territories), of government finance (tributary, budgetary, of planning and holding in the national revenues) and normative (competition issuing juridical norms on the part of officials and public law entities that impact with their juridical effects the pyramid *kelseniana* or the effective ordinance juridical in the region and the locality).

Colombia as Autonomous State with Latin American connotations today is a juridical, social reality and politics. The discussion this served.

VI. THE ACTIVITIES OF THE STUDENT

I. Supplement the following propositions:

- 1) They are territorial Entities _____

- 2) The territorial Entities have autonomy _____

- 3) The Department is _____

- 4) The Departmental Assembly is _____

- 5) The Governor is _____

- 6) The administrative regions and of planning are _____

- 7) The Municipality is _____

- 8) The Municipal Council is _____

- 9) The Special District of Bogotá is _____

- 10) The indigenous Territories are _____

II. Mark with an X, the correct answer that corresponds to the following ones advance:

- 1) **The Colombian Territory is divided in:**
 - a) The Nation, the Departments, Special Districts, Municipalities and indigenous Territories
 - b) Autonomous regions, Departments and municipalities
 - c) Departments, Districts and indigenous Territories
 - d) All the previous ones
 - e) None of the previous ones
- 2) **The classes of autonomy that they enjoy the Territorial Entities they are:**
 - a) Legislative, administrative and judicial

- b) Politics, administrative and Tributary
- c) Legislative, politics and administrative
- d) All the previous ones
- e) None of the previous ones

3) The OLTO, Organic law of Territorial organization distributes:

- a) Financial resources to the decentralized entities
- b) Human resources to the Public corporations
- c) Competitions between the Nation and the Territorial Entities
- d) All the previous ones
- e) None of the previous ones

4) The acts and the relative orders to the public order of the President of the Republic are applied in a manner immediate and preferable for:

- a) The councilmen and deputies
- b) The Municipal Mayors
- c) The departmental Governors
- d) All the previous ones
- e) None of the previous ones

5) The departments exercise administrative functions, of coordination, and:

- a) Functions of the complement of the municipal action
- b) Functions of the Intermediation between the nation and the municipalities
- c) Provision of public services
- d) All the previous ones
- e) None of the previous ones

6) The Departmental Assemblies as functions have:

- a) Issuing the national laws
- b) Issuing judicial sentences
- c) Issuing ordinance-laws
- d) All the previous ones
- e) None of the previous ones

7) The Colombian Municipality as fundamental entity of the division politician administrative of the State it is corresponds:

- a) The provision of public services
- b) To build the works that it demands the local progress
- c) To promote the community participation and their inhabitants' social and cultural improvement
- d) All the previous ones
- e) None of the previous ones

8) The Mayors and the Councilmen have a constitutional period of:

- a) Two years
- b) Three years

- c) Four years
- d) All the previous ones
- e) None of the previous ones

9) The Councils by means of Agreements can divide to the Municipality in:

- a) Localities and districts
- b) Neighborhoods and parishes
- c) Communes and *corregimientos*
- d) All the previous ones
- e) None of the previous ones

10) They have a special juridical, fiscal and administrative régime:

- a) The Capital District of Colombia: Bogotá
- b) The Districts tourist an historical of Santa Marta and *Cartagena*
- c) The indigenous Territories
- d) All the previous ones
- e) None of the previous ones

VII. THE ACTIVITIES OF THE STUDENT AND THE PROFESSOR

I. In study symposium he/she examine and express their opinions on the following themes:

1. Colombia is a Unitary Republic with decentralization and autonomy of its Territorial Entities. Do you believe that the Territorial Entities with more autonomy could constitute an Autonomous State?
2. The Constitution and the Law impose some very demanding requirements to create departments, districts and municipalities. Would it be convenient for the best development in the regions that you/they decrease the requirements to the population, territory and financial resources?
3. The Town councils and Assemblies, today per today, they have many members that cost a lot of money to the Municipal and Departmental Budget. Does it consider convenient to eliminate them or to reduce the number of members of those public Corporations?
4. The Mayors, today they are managers of the Public enterprises called the mayor of the office, and the councilmen are their board directors. Do you consider advantageous or not the assimilation of the structure of the private enterprise to the public enterprise?
5. Which are the social, economic or political reasons so that the Indigenous Territories those have not fulfilled made constitutional provided in the Constitution from 1991?