

# Institutional support for the Constitutional Court in Colombia

For an efficient, effective and transparent judicial system

## Where and how we work

In recent years the Colombian judicial system has been confronted by various issues, such as the overload on the court system, problems in communicating judgements, technical modernisation and enforcement of court decisions.

The present project for institutionally strengthening the Constitutional Court implements measures which do not require any legal changes and which aim to improve management of the judicial system. Our goal is to effect a lasting improvement in the judicial process and the transparency of judicial administration.

The Constitutional Court is responsible for interpreting the Colombian Constitution. It is specifically concerned with 'tutela' petitions. These are submitted by people who feel their civil rights have been violated and are seeking protection and enforcement of these rights.

Currently, the Constitutional Court is affected by the challenges associated with the pandemic. As a result, the project's original action plan was modified in certain respects, although the core objectives were retained.

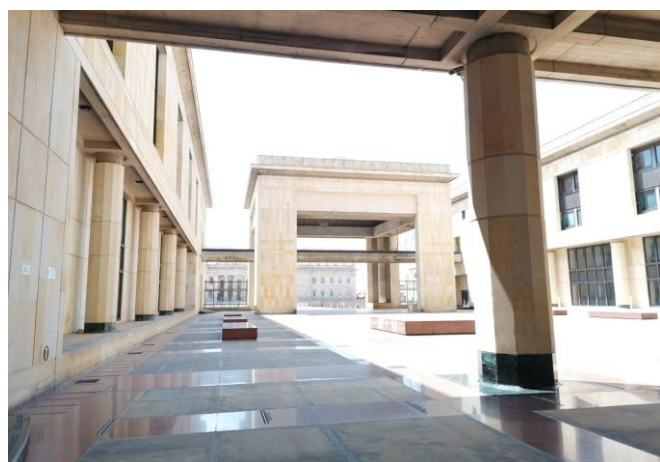


Photo: Visit to the Palace of Justice, Bogotá, 2021

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The project for institutionally strengthening the Constitutional Court is part of the peacebuilding and crisis prevention priority area of German development cooperation. It was a result of the agreement on technical cooperation in this area between the Colombian Government and the Federal Republic of Germany, signed on 14 February 2020.

The agreement established the following components, which correspond to the project objectives: (I) 'Improving knowledge of the Constitutional Court's rulings' and 'Aligning the Court with citizens and judges on constitutional issues', (II) 'Ensuring the quality of the administration of the Constitutional Court and standardising its working procedures', and (III) 'Developing a monitoring system for enforcing the Constitutional Court's rulings', including a trial of the system with the goal of increasing the number of 'tutela' rulings actually enforced.

The project aims to supplement the Constitutional Court's existing initiatives to modernise its organisation and find joint solutions for the impending problems.



Photo: Courtroom, Constitutional Court, Bogotá, 2021

## How we work

The following activities are being implemented within the project for institutionally strengthening the Constitutional Court:

### International conference: comparative models of 'relatorias' in Latin America and Europe

'Relatorias' are the court offices that analyse decisions for publication and keep track of lines of jurisprudence. In November 2021 the project organised a comparative international conference in Bogotá at which national and international representatives of the these offices presented their work. The goal was to make possible an analysis of the different models of 'relatoria' in order to come up with suggestions and good practices for reforming the service at the Colombian Constitutional Court.

### Study on the jurisprudence on enforcing Constitutional Court decisions

This study was commissioned by the project and aims to analyse the Constitutional Court's jurisprudence for enforcing its rulings and its – in part very complex – orders. Going beyond a simple study of the decisions, it also investigates the effective social impacts on the stakeholders involved in society and the institutions.

### Identifying processing times

To shorten proceedings before the Constitutional Court, a consulting firm was engaged to analyse the time taken for each step and phase in proceedings before the Constitutional Court. The end product is a report showing frequent causes of delays and their extent.

### Donation of IT equipment

On 4 March 2022 the Court was given a server together with licences and backup hard drives worth COP 450 million (around EUR 100,000) for the electronic search of the rulings of the Constitutional Court. This technical equipment will prevent loss of data on the stored decisions (currently 37,000) and increase the speed of the search



Photo: Donation of IT equipment, Bogotá 2022

### Improving the internet-based search for decisions

Currently, a consulting firm is engaged to develop technical support and back-up in developing new functions for the search engine for the Constitutional Court's rulings. The goal is to facilitate access to the Constitutional Court's rulings and so increase popular and professional legal awareness of the Court's work.

### Dialogue on 'tutelas' with constitutional judges

There was dialogue between the Constitutional Court and judges ruling on the 'tutela' petitions in workshops in various cities, such as Cúcuta, Montería and Manizales. The workshops are intended to discuss the main causes of problems in dealing with 'tutelas' up to their execution and possible solutions for these. Subsequently, a manual will bring together the most important questions, suggestions and recommendations from these dialogues for the country's judiciary.

### Workshops on writing decisions

Several decisions of the Constitutional Court are long and difficult to read. To bring more order, clarity and efficiency into writing decisions, a three-stage workshop cycle is currently offered to improve the style and structure of the written statement of reasons for a Court decision.

### Internet page for children and young people

In the Constitutional Court project 'The Constitution for children and young people', GIZ is supporting creation of a special page on the Constitutional Court website for a young audience, which will be made accessible to the public in the first half of 2022.



Photo: Internet page 'The Constitution for children and young people'

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