

# Institutional support for the Constitutional Court in Colombia

For an efficient, effective and transparent judicial system

## Where and how we work

Over the past ten years, the Colombian judicial system has been confronted by various challenges, such as the overload on the court system, problems in communicating judgements, the need for technical modernisation and difficulties in enforcing court rulings.

The project aims to supplement the Constitutional Court's ongoing initiatives to modernise its organisation and to identify joint solutions to the problems it faces.

As part of the project, activities are implemented that do not require any legal changes but nonetheless aim to strengthen the management of the judicial system. The goal is to achieve 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 can be submitted by any citizens who feel that their civil rights have been violated. Petitions can be used to seek protection and enforcement of these rights.

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Project area	Bogotá, Colombia
Overall term	January 2021 to December 2023

The project for institutionally strengthening the Constitutional Court is part of the peacebuilding and crisis prevention priority area of German development cooperation. The initiative was launched in 2020 as part of an agreement between the Colombian Government and the Federal Republic of Germany.

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.

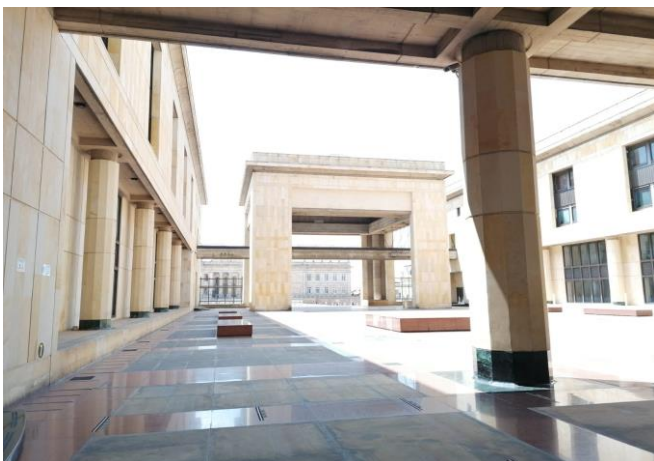


Photo: Palace of Justice, Bogotá, 2021



Photo: Courtroom, Constitutional Court, Bogotá, 2021

## What have we achieved so far

The following activities are being implemented within the framework of the project to institutionally strengthen the Constitutional Court:

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

‘Relatorias’ are the research and documentation services of (supreme) courts that analyse court rulings for publication. In November 2021, the project organised an international conference in Bogotá at which national and international representatives of these offices presented their work. The goal was to facilitate an analysis of the different models of ‘relatorias’ in order to come up with suggestions and examples of best practices for reforming the service at the Colombian Constitutional Court.

### Identifying processing times

To shorten Constitutional Court proceedings, the time taken for each step and phase in proceedings before the Court was analysed. The results were presented in a report that sets out frequent causes of delays and their extent.

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

The study, conducted as part of the project, analysed the Constitutional Court’s jurisprudence on enforcing its rulings and its orders, some of which are highly complex. From an interdisciplinary perspective, it also investigated the actual social impacts on affected actors from civil society and the relevant institutions.

### Exchange of experience among constitutional judges on ‘tutelas’

The Constitutional Court and judges ruling on the ‘tutela’ petitions at local level held joint workshops in 2022 in various regions of Colombia. Participants discussed the main causes of delays in dealing with ‘tutelas’ up to their enforcement as well as identifying possible solutions. A short manual was produced for the country’s entire judiciary, setting out the most important questions, advice and recommendations to emerge from these workshops.

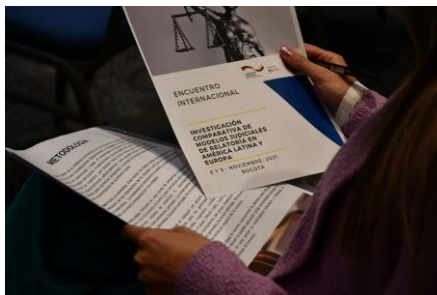


Photo: International conference for constitutional courts, 2022

This exchange is being continued in 2023 in other regions with a new focus on producing written ‘tutela’ decisions.

### Workshops and conference on writing decisions

Several rulings 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 was offered in 2022 to improve the style and structure of the written statement of reasons for a Court decision.

In November 2022, the project subsequently organised an international conference on editing constitutional law and human rights rulings. It was attended by representatives of the constitutional courts of Mexico, Ecuador and Spain and of the European and the Inter-American Courts of Human Rights.

### Redesign of the web portal

The Constitutional Court’s website is its calling card and a key – interactive – gateway to the outside world. A detailed concept was devised to modernise the Constitutional Court’s internet presence, which will be gradually implemented in the course of 2023. The launch of the new website is scheduled for early 2024.

### Improving the internet-based search for decisions

Steps are to be taken to facilitate access to the Constitutional Court’s rulings and so increase awareness of the Court’s work among legal professionals and the general public. To do so, the project is helping to develop new functions for the search engine for the Constitutional Court’s rulings.

### Creating a website for children and young people

As part of the Constitutional Court project on The Constitution for Children and Young People, GIZ provided support in creating a special page that appeals to a young audience and is easy to understand. It can be accessed via the Constitutional Court’s website: [www.corteconstitucional.gov.co/constitucion-colombia-ninas-ninos/](http://www.corteconstitucional.gov.co/constitucion-colombia-ninas-ninos/)



Photo: ‘The Constitution for children and young people’ website, 2023

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