

**ORDER OF THE PRESIDENT OF THE
INTER-AMERICAN COURT OF HUMAN RIGHTS
OF FEBRUARY 10, 2017**

REQUEST FOR ADVISORY OPINION OC-23

HAVING SEEN:

1. The request for an advisory opinion submitted to the Inter-American Court of Human Rights (hereinafter "the Inter-American Court" or "the Court") by the Republic of Colombia (hereinafter "the requesting State" or "Colombia") on March 14, 2016. In its brief, the State appointed Ricardo Abello Galvis as its agent for this request.

2. The notes of the Secretariat of the Court (hereinafter "the Secretariat") of May 18, 2016, in which, pursuant to Articles 73(1) and 73(2) of the Court's Rules of Procedure (hereinafter "the Rules of Procedure"), it advised all the Member States of the Organization of American States (hereinafter "the OAS"), the OAS Secretary General, the President of the OAS Permanent Council, and the Inter-American Commission on Human Rights, that the President of the Court (hereinafter "the President"), in consultation with the Court, had established September 19, 2016, as the deadline for the presentation of written observations on this request. Also, the notes of the Secretariat of September 14, 2016, in which this deadline was extended until January 19, 2017, which was notified to all those mentioned above.

3. The notes of the Secretariat of May 18, 2016, and the publication on the Court's website, in which, pursuant to Article 73(2) and 73(3) of the Court's Rules of Procedure, the President invited all those who were interested to submit their written opinion on the issues raised in the request and advised that the Court had established September 19, 2016, as the deadline for receiving such opinions, and also the notes of the Secretariat of September 14, 2016, and the publication on the Court's website, advising that this deadline had been extended until January 19, 2017.

4. The brief of January 19, 2017, in which the State of Colombia presented additional comments on its request for an advisory opinion submitted on March 14, 2016.

5. The briefs in which the following States submitted their written observations: (i) Honduras; (ii) Bolivia; (iii) Panama, and (iv) Argentina.

6. The briefs in which the Inter-American Commission on Human Rights presented its written observations, and appointed Commissioners José de Jesús Orozco and Paulo Vannuchi as its delegates, and Deputy Executive Secretary Elizabeth Abi-Mershed, Silvia Serrano Guzmán and Norma Colledani as legal advisers.

7. The briefs in which the following State agencies, national and international organizations, academic institutions, non-governmental organizations, and private individuals submitted their written observations: (i) Judith Ponce Ruelas, José Benjamín González Mauricio and Rafael Ríos Nuño; (ii) the Law School of the Universidad Sergio Arboleda; (iii) Jorge E. Viñuales; (iv) the Biosphere Foundation; (v) Benjamín Benítez Jerezano, Gina Larissa Reyes Vásquez, Luis Ovidio Chinchilla Fuentes and Nadia Stefania Mejía Amaya; (vi) Silvana Insignares Cera, Meylin Ortiz Torres, Juan Miguel Cortés and Orlando De la Hoz Orozco; (vii) Christoph Schwarte of the Legal Response Initiative; (viii) the Office for Raizal Ethnic Matters of the San Andrés Archipelago, Providencia and Santa Catalina; (ix) Eduardo Biacchi Gomes, Danielle Anne Pamplona, Adrian Mohamed Nunes Amaral, Ane Elise Brandalise Gonçalves, Amanda Carolina Buttendorff, Aníbal Alejandro Rojas Hernandez, Bruna Werlang Paim, Juliane Tedesco Andretta, Mariana Kaipper de Azevedo, Lincoln Machado Domingues, Henrique Alef Burkinsky Pereira, Luis Alexandre Carta Winter, João Paulo Josbiak Dresch and Simone dos Reis Bieleski Masques; (x) the Human Rights Center of the Law School of the Universidad de Buenos Aires; (xi) the Public Action Group of the Jurisprudence Faculty of the Universidad del Rosario; (xii) Pedro Gonsalves de Alcântara Formiga; (xiii) the Legal Human Rights Clinic of the Pontificia Universidad Javeriana, Cali campus; (xiv) the Litigation and Public Interest Group of the Universidad del Norte; (xv) Universidad Centroamericana José Simeón Cañas; (vi) a group of students from the Escuela Libre de Derecho; (xvii) Jorge Alberto Pérez Tolentino; (xviii) the Conservation Clinic and Costa Rica Program in Sustainable Development, Law, Policy & Professional Practice of the University of Florida Levin College of Law; (xix) the Law School of the Universidad Católica del Uruguay; (xx) the Humanery Working Group; (xxi) the International Maritime Organization; (xxii) the European Center for Constitutional and Human Rights; (xxiii) the Human Rights Commission of the Federal District of Mexico; (xxiv) the Center for International Environmental Law and the Vermont Law School Center for Applied Human Rights; (xxv) the Amazonian Network of Human Rights Clinics; (xxvi) the Environmental Law Alliance Worldwide; (xxvii) Alberto Madero Rincón, Sebastián Rubiano-Groot, Daniela María Rojas García, Nicolás Ramos Calderón and Nicolás Caballero Hernández; (xxviii) Antonio José Rengifo Lozano; (xxix) José Manuel Pérez Guerra; (xxx) Noemí Sanín Posada and Miguel Ceballos Arévalo; (xxxii) the Institute for Democracy and Human Rights of the Pontificia Universidad Católica del Perú; (xxxiii) Alejandra Gutierrez Vélez and Laura Castellanos; (xxxiv) Belén Olmos Giupponi, Cristián Delpiano Lira and Christian Rojas Calderón; (xxxv) the Center for Human Rights Studies of the Universidad Autónoma de Yucatán; (xxxvi) the International Center of Comparative Environmental Law; (xxxvii) Georgetown Law Human Rights Institute; (xxxviii) Hermilo de Jesús Lares Contreras; (xxxix) the National Human Rights Commission of Mexico; (xl) the Interamerican Association for Environmental Defense; (xli) the World Commission on Environmental Law of the International Union for the Conservation of Nature; (xlii) the Law School of the Universidad EAFIT; (xliii) Ana María Mondragón Duque and Karina G. Carpintero; (xliv) Alfredo Ortega Franco; (xlv) the Research Group on Environmental Law and Policy of the Universidad Nacional de Colombia, and (xlvi) Alejandra Gonza of the International Human Rights Clinic of the University of Washington School of Law.

CONSIDERING THAT:

1. The Secretariat of the Court received numerous briefs with relevant observations and documents regarding the request for an advisory opinion before the established deadline (*supra* having seen paragraphs 5 to 7).
2. The written observations of the International Human Rights Clinic of the University of Washington School of Law were submitted on January 20, 2017, and the written observations of the State de Argentina were submitted on January 27, 2017. In this regard, the President notes that these observations were presented one day and eight days after the established deadline had expired. However, in view of the nature of this matter, because it is not a contentious case, but rather a procedure on an advisory matter,¹ the right of defense has not been affected. Therefore, in order to be able to take into account all the contributions received by this Court, exceptionally, the incorporation of both briefs into this procedure of a request for an advisory opinion is authorized.
3. It is desirable to hold the oral procedure established in Article 73(4) of the Rules of Procedure so that the requesting State and the other Member States, the Inter-American Commission on Human Rights, and all those who submitted their written observations may present their oral arguments.

THEREFORE:

THE PRESIDENT,

Pursuant to the provisions of Articles 24(1) of the Statute of the Court and 73(4) of the Court's Rules of Procedure, and in exercise of his authority under Article 31(2) of the latter,

DECIDES:

1. To convene a public hearing to be held during the 57th special session, which will take place in Guatemala City, starting at 9 a.m. on March 22, 2017, to receive oral arguments on the request for advisory opinion OC-23 presented by the State de Colombia.

¹ This Court has indicated that the its advisory jurisdiction is intended to assist the American States in fulfilling their international human rights obligations and to assist the different organs of the OAS to carry out the functions assigned to them in this field. "*Other Treaties*" *Subject to the Consultative Jurisdiction of the Court* (Art. 64 *American Convention on Human Rights*). Advisory Opinion OC-1/82 of September 24, 1982. Series A No. 1, para. 25, and *Request for an advisory opinion OC-21*. Call to convene a hearing. Order of the President of the Inter-American Court of Human Rights of May 11, 2012, *considerandum* 2.

2. To request the Member States, the organs of the OAS, and those who submitted written observations to advise whether they wish to take part in the hearing called by the President by March 1, 2017, at the latest.

3. To require the Secretariat of the Inter-American Court to notify this order to the requesting State, to the other Member States of the Organization of American States, to all the organs mentioned in Article 73(1) of the Court's Rules of Procedure and to all those who submitted written observations on the request for advisory opinion OC-23.

Roberto F. Caldas
President

Pablo Saavedra Alessandri
Secretary

So ordered,

Roberto F. Caldas
President

Pablo Saavedra Alessandri
Secretary