

**ORDER OF THE PRESIDENT OF THE
INTER-AMERICAN COURT OF HUMAN RIGHTS
SEPTEMBER 11, 2020**

**REQUEST FOR ADVISORY OPINION OC-28
SUBMITTED BY THE REPUBLIC OF COLOMBIA**

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 on October 21, 2019 on the "Figure of indefinite presidential re-election in the context of the Inter-American System of Human Rights". The State appointed Mr. Camilo Gómez Alzate, Director of the National Agency of Legal Defense of the State, as its agent for this request.
2. The notes of the Secretariat of the Court (hereinafter "the Secretariat") of February 18, 2020, in which, pursuant to Articles 73(1) and 73(2) of the Court's Rules of Procedure (hereinafter "the Rules of Procedure"), it communicated all the Member States of the Organization of American States (hereinafter "the OAS"), the OAS Secretary General, the President of the OAS Permanente Council, and the Inter-American Commission on Human Rights, that the President of the Court, in consultation with the Court, had set May 18, 2020, as the deadline for the submission of written observation on this request.
3. The notes of the Secretariat of February 18, 2020, and the publication on the Court's website, in which, pursuant to Article 73(2) and 73(3) of the Rules of Procedure, the President invited all the interested parties to present their written opinions on the points submitted for consultation and set May 18, 2020, as the deadline for this purpose.
4. The Court's decisions Nos. 1/20 and 2/20 of March 17, 2020, and April 16, 2020, and their publication on the Court's website, by which it was determined to suspend all deadlines from March 17 to May 20, 2020, because numerous countries in the region were affected by the COVID-19 pandemic, classified by the World Health Organization as a global health emergency.
5. The request of an extension of the deadline submitted by the Inter-American Commission on Human Rights on July 24, 2020, and the note in which the President of the Court granted the extension.
6. The briefs in which the following States, entities, non-governmental organization and academic institution submitted their written observations: 1) Republic of Colombia; 2) Academia Boliviana de Estudios Constitucionales; 3) Academia Interamericana de Derechos

Humanos de la Universidad Autónoma de Coahuila México; 4) Asamblea Permanente de Derechos Humanos de Bolivia; 5) Asociación Civil de Estudios Constitucionales; 6) Bloque Constitucional de Venezuela; 7) Centro de Investigación Jurídica Aplicada y Consultoría Integral, Sociedad Civil (CICACI); 8) Centro de Investigación y Promoción de los Derechos Humanos (CIPRODEH); 9) Centro Strategia Electoral A.C.; 10) Centro Universitário Antônio Eufrásio de Toledo; 12) Ciudadanos del Mundo por Derechos Humanos; 13) Clínica de Direitos Humanos e Direito Ambiental da Universidade do e Grupo de Pesquisa Direitos Humanos na Amazônia; 14) Clínica Interamericana de Direitos Humanos do Núcleo Interamericano de Direitos Humanos da Faculda de Nacional de Direito da Universidade Federal do Rio de Janeiro (NIDH/UFRJ); 15) Clínica Jurídica de la Facultad de Derecho de la Corporación Universitaria de Sabaneta; 16) Clínica Jurídica en Derechos Humanos de la Universidad Santiago de Cali; 17) Comisión Colombiana de Juristas; 18) Inter-American Commission on Human Rights; 19) Comisión Presidencial para Derechos Humanos del Gobierno Interino de la República Bolivariana de Venezuela; 20) Centro de Interés Público y Justicia (CIPJUS); 21) Defiende Venezuela e Instituto de Investigaciones Jurídicas de la Universidad Católica Andrés Bello; 22) Derechos en Acción; 23) Equipo en formación continua sobre derechos humanos "Qhapaj Ñan"(Camino Noble), integrado por estudiantes de la Universidad San Francisco Xavier de Chuquisaca- Bolivia; 24) Escuela Judicial Electoral del Poder Judicial de la Nación de México; 25) Plurinational State of Bolivia; 26) Escuela Libre de Derecho de México; 27) United States of America; 28) Fundación Diversencia; 29) Due Process of Law Foundation (DPLF); 30) Grupo de Investigación Justicia, Ámbito Público y Derechos Humanos y Semillero de Fundamentos Filosóficos del Derecho Constitucional de la Facultad de Derecho y Ciencias Políticas de la Universidad de La Sabana; 31) Iniciativa Democrática de España y las Américas (IDEA); 32) Instituto de Gobernabilidad del Perú (INGOPE); 33) Núcleo de Estudios en Sistemas en Derechos Humanos y del Centro de Estudios de la Constitución Universidad Federal de Paraná; 34) Republic of Nicaragua; 35) General Secretariat of the Organization of American States; 36) Observatorio de Intervención Ciudadana Constitucional Universidad Libre de Bogotá, y 37) Universidad de Flores y la Universidad Católica de Córdoba.

7. The briefs in which the following individuals from civil society submitted their written observations: 38) Alfredo Ortega Franco; 39) Allan R. Brewer-Carías; 40) Álvaro Molinares y Luiza Tavares da Motta; 41) Amaury A. Reyes-Torres; 42) Andrés Figueroa Galvis; 43) Björn Arp; 44) Carlos Eduardo García Granados; 45) Carolina Rodríguez Bejarano y Eudoro Echeverri Quintana; 46) Damian González-Salzberg; 47) Deisy Meneses Daza, Ayda Malena Imbacuán, and Anderson Muñoz Buitrón; 48) Dolly Andrea Lugo Cortés y Elizabeth Duarte Cristancho; 49) Edier Esteban Manco Pineda; 50) Federico Ariel Vaschetto and others; 51) Harold Bertot Triana; 52) Ilka Treminio Sánchez and Juan Manuel Muñoz-Portillo; 53) John Edinson Sanchez Vargas; 54) Jorge "Tuto" Quiroga Ramírez; 55) Juan Esteban Yanguas Ramón and José Fernando Flórez; 56) Juan Reynaldo Salinas Goytia; 57) Julián Fernando Montoya Pipicano; 58) Leonardo Rivera Mendoza; 59) Pablo Damián Colmegna; 60) Roberto Ogg Fábrega y Ainoa Prieto García; 61) Sergio A. Villa Ramos; 62) Thairi Moya Sánchez and Víctor Rodríguez, and 63) Xochithl Guadalupe Rangel Romero.

8. The notes of the Secretariat of August 14 and 27, 2020, in which it requested the different delegations to confirm and present their accreditations for the public hearing, and the confirmation of fifty-three delegations on this regard.

CONSIDERING THAT:

1. The Court's Secretariat received numerous briefs with observations and relevant documents on the request for an advisory opinion within the established time frame (supra having seen paragraphs 6, 7 and 8).

2. The written observations of Corporación Centro de Interés Público y Justicia (CIPJUS) and of Instituto de Gobernabilidad del Perú (INGOPE) were presented on July 25, 2020. The President notes that these observations were submitted one day after the time frame had expired. However, given the nature of this matter, since it is not a contentious case but rather an advisory procedure, the right of defense is not affected. Therefore, with the purpose of allowing the Court to take into account all the contributions received, the incorporation of the said briefs into this procedure is exceptionally authorized. On the other hand, the written observations of Esteban Yanguas Ramón and José Fernando Flórez Ruiz were presented on August 24, 2020, one month after the deadline, which the President consider excessive and it is therefore not admitted.

3. The Court finds it desirable to hold the oral procedure established in Article 73(4) of the Rules of Procedure, and that the Inter-American Commission, the Member States, and those who submitted their written observations and confirmed their participation on the hearing present their oral arguments. Due to the exceptional circumstances caused by the COVID-19 pandemic, this oral procedure will be held virtually.

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 her authority under Article 31(2) of the latter,

DECIDES:

1. To convene a public hearing to be held virtually on September, 28, starting at 8:30 a.m and on 29 and 30, 2020, starting at 8.00 a.m., Costa Rican time, during the Court's 137th regular session, in order to receive oral arguments on the request for advisory opinion AO-28 presented by the Republic of Colombia, to the following delegation who confirmed their participation: 1) Republic of Colombia; 2) Plurinational State of Bolivia; 3) United States of America; 4) Republic of Panamá; 5) Inter-American Commission on Human Rights; 6) General Secretariat of the OAS; 7) Comisión Presidencial para Derechos Humanos del Gobierno Interino de la República Bolivariana de Venezuela; 8) Academia Boliviana de Estudios Constitucionales; 9) Academia Interamericana de Derechos Humanos de la Universidad Autónoma de Coahuila, México; 10) Asamblea Permanente de Derechos Humanos de Bolivia; 11) Asociación Civil de Estudios Constitucionales (ACEC); 12) Bloque Constitucional de Venezuela; 13) Centro de Investigación Jurídica Aplicada y Consultoría Integral, Sociedad Civil (CICACI); 14) Centro Universitário Antônio Eufrásio de Toledo; 15) Centro de Investigación y Promoción de los Derechos Humanos (CIPRODEH); 16) Centro Strategia Electoral A.C.; 17) Ciudadanos del Mundo por Derechos Humanos; 18) Clínica Jurídica en Derechos Humanos de la Universidad Santiago de Cali; 19) Clínica Interamericana de Direitos Humanos do Núcleo Interamericano de Direitos Humanos da Faculdade Nacional de Direito da Universidade Federal do Rio de Janeiro (NIDH/UFRJ); 20) Comisión Colombiana de Juristas; 21) Corporación Centro de Interés Público y Justicia (CIPJUS); 22) Defiende Venezuela e Instituto de Investigaciones Jurídicas de la Universidad Católica Andrés Bello; 23) Clínica de Direitos Humanos e Direito Ambiental da Universidade do Estado do Amazonas e Grupo de Pesquisa Direitos Humanos na Amazônia; 24) Derechos en Acción; 25) Due Process of Law Foundation (DPLF); 26) Grupo de Investigación Justicia, Ámbito Público y Derechos Humanos y Semillero de Fundamentos Filosóficos del Derecho Constitucional de la Facultad de Derecho y Ciencias Políticas de la Universidad de La Sabana; 27) Instituto de Gobernabilidad del Perú (INGOPE); 28) Núcleo de estudos em direitos humanos (NESIDH) y Centro de estudos da constituição (CCONS) de la

Universidad Federal de Paraná; 29) Observatorio de Intervención Ciudadana Constitucional Universidad Libre de Bogotá; 30) Universidad de Flores y Universidad de Córdoba; 31) Álvaro Molinares and Luiza Tavares da Motta; 32) Alfredo Ortega; 33) Amaury A. Reyes-Torres; 34) Andrés Figueroa Galvis; 35) Bjorn Arp; 36) Carlos Eduardo García Granados; 37) Carolina Rodríguez Bejarano and Eudoro Echeverri Quintana; 38) Carolina Rodríguez Bejarano, Salomé Ramírez Sierra, y Kevin Serna Álvarez; 39) Damian González-Salzberg; 40) Deisy Meneses Daza, Ayda Malena Imbacuán, and Anderson Muñoz Buitrón; 41) Dolly Andrea Lugo Cortés and Elizabeth Duarte Cristancho; 42) Edier Esteban Manco Pineda; 43) Federico Ariel Vaschetto and others; 44) Harold Bertot Triana; 45) Ilka Treminio Sánchez and Juan Manuel Muñoz; 46) Jorge "Tuto" Quiroga Ramírez and Luis ÁNGEL Vásquez Villamor; 47) Juan Reynaldo Salinas Goytia; 48) Leonardo Rivera Mendoza; 49) Pablo Damián Colmegna; 50) Roberto Ogg Fábrega and Ainoa Prieto García; 51) Sergio A. Villa Ramos ; 52) Thairi Moya Sánchez and Víctor Rodríguez, and 53) Xochithl Guadalupe Rangel Romero.

2. To require the Secretariat of the Inter-American Court to notify this order to the Inter-American Commission, and to all those who confirmed their participation on the hearing on the advisory opinion AO-28 requested by the Republic of Colombia.

Elizabeth Odio Benito
Presidenta

Pablo Saavedra Alessandri
Secretario

Comuníquese y ejecútese,

Elizabeth Odio Benito
Presidenta

Pablo Saavedra Alessandri
Secretario