



## **Inter-American Court of Human Rights**

### **Regulations of the Psychological Support Service**

#### **for declarants before the Inter-American Court**

The Inter-American Court of Human Rights,

#### **CONSIDERING:**

The fundamental importance of the participation of alleged victims in the contentious proceedings before the Inter-American Court of Human Rights (hereinafter also “the Inter-American Court” or “the Court”) and, in particular, of their testimony during the Court’s hearings;

The significant psychological burden that, in some cases, the act of testifying before the Inter-American Court may entail for the alleged victims and for others, as well as the need to ensure their physical, emotional and psychological integrity so that they may testify under the best possible conditions, and

The need for the Inter-American Court to have a service that provides psychological support and assistance for the alleged victims of human rights violations and for vulnerable individuals who must appear before the Court to testify in person.

#### **RESOLVES:**

To adopt these Regulations of the Psychological Support Service in accordance with the following articles:

#### **Article 1. Purpose**

The purpose of these Regulations shall be to regulate the access to and operation of the Psychological Support Service for alleged victims of human rights violations and vulnerable individuals who must appear before the Court to testify in person.

#### **Article 2. Timing and justification of the request**

The request for the Psychological Support Service shall be made, at the latest, with the final list of declarants established in Article 46 of the Court’s Rules of Procedure. The reasons for the request must be provided, with details of why the professional assistance is found to be necessary.

#### **Article 3. Determination of admissibility**

The Secretariat of the Inter-American Court shall make a preliminary examination of the request for psychological support which shall then be submitted to the consideration of the President of the Court who will decide on the admissibility of the request.



The Secretariat will notify the President's decision when summoning the declarants to the hearing.

If it is determined that the psychological support is admissible, the Secretariat shall provide the applicant with the contact information of a professional in psychology so that he/she may communicate directly with the said professional in order to make the necessary arrangements for the provision of the service during the in-person hearing before the Inter-American Court.

#### **Article 4. Characteristics of the service**

The professional support and assistance service for victims of human rights violations and vulnerable individuals shall be provided before, during and/or after their in-person testimony before the Inter-American Court.

##### *4.1. Support before the testimony*

In the case of support prior to the hearing, the Secretariat of the Inter-American Court shall coordinate a reconnaissance visit to the place where the testimony will be given with the psychologist and with the alleged victim or the declarant.

At that time, the psychologist will explain to the alleged victim or the declarant the procedure for receiving their testimony during the hearing so that they may familiarize themselves with the process. In addition, on that occasion, they will be offered the possibility of a support session in order to reduce the psychological impact of their testimony before the Inter-American Court.

##### *4.2 Support during the testimony*

Throughout their testimony during the public hearing, the person responsible for providing the support service shall be present and be available for any eventuality that may require their assistance or intervention if called on by the President of the Inter-American Court.

##### *4.2 Support after the testimony*

After the testimony has been provided, the psychologist may assist the alleged victim or the declarant if they should need support or assistance in order to bring closure to their participation in the oral stage of the proceedings before the Inter-American Court.

#### **Article 5. Psychologists**

The persons who provide the Psychological Support Service shall be professionals who are duly accredited before the Inter-American Court and before the Psychologists Professional Association of Costa Rica. The Secretariat of the Inter-American Court shall select the professional who will provide the service in each case in which the service is required.

#### **Article 6. Confidentiality**

At all times during which the Psychological Support Service is provided, the psychologist shall be governed by the rules of confidentiality required by their profession and by the patient-professional relationship.



### **Article 7. Funding of the Service**

The support established in these Regulations shall be funded by the creation of a Special Fund for the Psychological Support Service. This Fund shall comprise a specific budget item consisting of contributions from international cooperation among other sources.

When handing down its judgment, the Inter-American Court will evaluate the pertinence of ordering the State concerned to reimburse the Fund the sum expended to provide this service.

The Inter-American Court shall report on the operation of the Fund in its Annual Report.

### **Article 8. Interpretation**

In the absence of a provision in these Regulations, or in case of doubt regarding their interpretation, the President or, if appropriate, the Inter-American Court shall decide.

### **Article 9. Amendments to the Regulations**

These Regulations may be amended by a majority decision of the Inter-American Court.

### **Article 10. Entry into force**

These Regulations shall enter into force on January 1, 2024.

Done at the seat of the Inter-American Court of Human Rights on October 20, 2023.