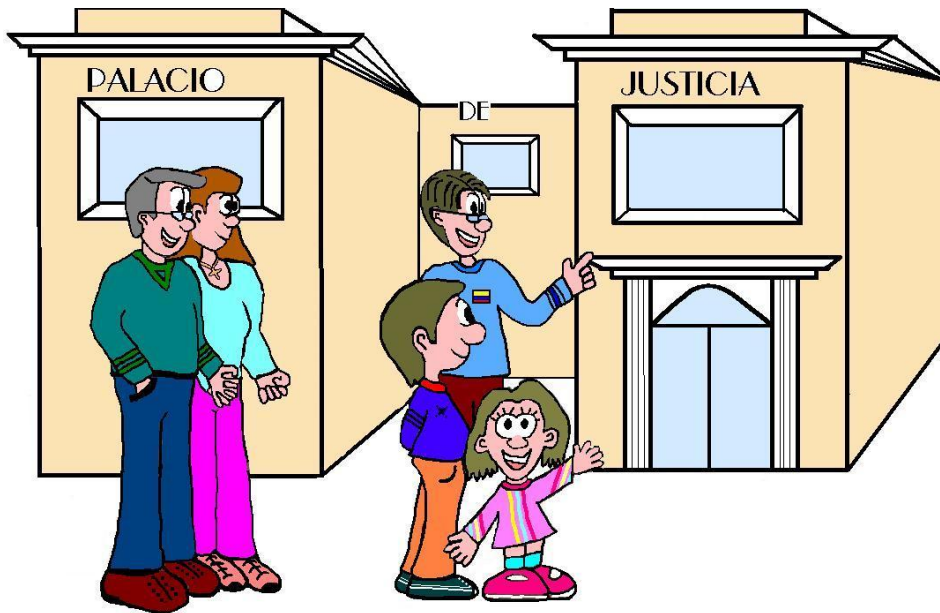


THE CHAPTER IX

THE JUDICIARY BRANCH ISSUED JUDICIAL PROVIDENCES



Xabier

I. THE DIALOGUE CONSTITUTIONAL: THE ADMINISTRATION OF JUSTICE AND THE EFFECTIVENESS OF THE HUMAN RIGHTS

ARMANDO: Father, how well it has been the Palace of Justice. You you said that at the end of 1985, the building that occupied the Supreme Court of Justice and the Council of State, was destroyed when trying to save the Magistrates, officials and civil people retained illegally by a guerilla group that later became in political and deliberative group when leaving the weapons. Today, the same as yesterday they occupy it those administrative Ordinary and Contentious two High Tribunals of Justice. However, the new building harbors airs of peace, justice and freedom inside a modern architectural construction with Greco-Roman inspirations.

LUCIO: The current construction is much better than the previous one, as you can appreciate in the pictures of the decade of the years eighty. The example that it had left us to the Colombians of that time and mainly to those that now is adolescent it is that that catastrophic horror should not repeat "*never again.*" Maybe for that reason, the current Magistrates of the High Courts of Justice and the other judges of the Republic belonging to the Colombian judicial branch in their providences or judicial sentences, privilege the substantial right on the formal one and everything it according to the Constitution and the effective Ordinance juridical. With this serious and equal legal action, I am sure

they are surrendering homage to the deceased in the holocaust of 1985. The Colombians believe in the effective, opportune justice and under the parameters of the Social State of Right, which privileges and it guarantees the human rights of resident and Colombian people for birth in our State.

VICTORIA: Dad, dad, In the Palace of Colombian Justice all the Magistrates are, judges and Prosecutors? I ask you this, because to my siblings I have listened to them that they only speak of Magistrates but not of the other servants of the State of the judicial branch, neither I have listened to them that they speak of the Superior Tribunals, the Administrative Tribunals, neither the Circuit courts, municipal or promiscuous civil, penal, labor of family, neither less still of the General Prosecutor of the Nation, the Prosecutor delegate, Sectional and Local. Anything of that, Because my teacher Marina, they have told us that in our State there are judges of different categories, names and functions although all belong to the same judicial branch of the public power and that all have the special attribution of solving conflicts among matters or enter these and the State by means of judicial sentences. Is it certain or not all that I have said?

MARÍA PAZ: Dear children, the justice is a constitutional value, more than a new and modern building. This means that all the inhabitants of our State have the right to go to the tribunals and tribunals so that they solve them their differences of artificial nature they are civil, penal, labor, commercial, administrative or of family; and on the other hand, the judges, fiscal and magistrates are obliged to solve them dictating judicial providences based on the securities of the justice and the justness and the sources of the right as the Ordinance juridical, the jurisprudence, the doctrine, the universal principles of the right and the International Treaties on Human rights. For that reason, from now on when they think of justice they don't only remember this beautiful architectural monument located in the Square of *Bolívar* from *Bogotá* and in all and each one of the cities capital and other domestic city-planning centers.

LIBORIO: My small *Victoria*, is certain what you affirm, in Colombia a nested judicial branch exists, subjected to the effective Ordinance juridical and that settles all the conflicts or juridical controversies among individuals and enter these and the State or even between persons juridical of public law and the State. The decisions that emit to solve these conflicts call themselves sentences and interlocutory decisions. However, not all the individual judges or collegians or Magistrates, neither the General Procurator of the Nation, they work in this construction, because they only make it the two High judicial Corporations mentioned by *Lucio* and also the Constitutional Court. The offices and judicial offices work in different leases. Plus still in each city of Colombia courts and offices of the Prosecutors exist, Ordinary and special or Administrative Tribunals that have competition and jurisdiction in their respective headquarters and districts and judicial circuits. The Prosecutors have jurisdiction in the throughout Colombian territory. For this reason, *Maria Paz* attended him the throughout reason when mentioning the different categories and specialties of the right in those that Magistrates work, judges and Prosecutors of the Republic. Dear children, in this journey for *Bogotá*, like they observe when walking we give a passage loaded with history, realities and reflection on what is our State of Right, the public power and their inhabitants, those which every day more they demand, opportune and effective justice.

II. THE CONSTITUTIONAL LESSON: THE JUDGES INDIVIDUALES OR COLLEGIANS SOLVE THE JURIDICAL CONFLICTS BY MEANS OF JUDICIAL SENTENCES. THE GENERAL PROSECUTOR OF OFFICE INVESTIGATES THE CRIME



I. the Judiciary Branch of the Public Power in Colombia is structured in nested form, but with autonomous competition of the holders of the courts, tribunals, Courts or corresponding offices, to settle or to settle the conflicts or juridical controversies of the individuals or of these with the State by means of judicial providences: sentences and interlocutory decisions.

II. The Supreme Court of Justice The Supreme Court of Justice is the maximum ordinary judicial authority in the State, in what corresponds to the civil jurisdiction, penal and labor. Their labor home this in *Bogotá*. Functionally it depends on the Court, all Superior the Tribunals of Judicial district and the courts of the different categories and specialties of the right that each city and Colombian department existent. All these they make part of the call "*Ordinary Jurisdiction*" and they solve juridical controversies among matters in civil, labor, mercantile matter, of family right and in penal matter.

III. The Council of State The Council is the Maximum contentious-administrative judicial Authority in Colombia. Functionally and to goods of resolution of appeal resources or special, the departmental Administrative Tribunals depend on the Council, as well as the administrative courts. This "*Special Jurisdiction*" settles juridical conflicts between the individuals and the State or among persons juridical belonging to the same State, for example, between a municipality and the nation, or between a Mixed Society or Industrial and Commercial Company of the State and a department.

IV. The Constitutional Court The Court is the Maximum Judicial Authority in the constitutional matters, of guard and protection of the Political Constitution of Colombia and effective guarantor of the rights and the inhabitants' constitutional duties in our State. For this reason is called "*The constitutional Jurisdiction*". The constitutional Jurisdiction is composed it all the individual judges and collegians at the moment existent, likewise for the Magistrates of the Superior Council of the Judicature, the Sectional Councils and the Honorable Magistrates of the High Courts different to the Constitutional one, that is to say, the Council of State and the Supreme Court of Justice. The constitutional justice knows mainly of the tutelage actions, which is good to defend and to guarantee the fundamental rights of all the inhabitants from Colombia.

V. The Superior Council of the Judicature The Council is the Maximum judicial and administrative Authority of the Judicial Branch in what concerns to the surveillance, control and the officials' sanction and judicial employees and the ethical conduct of the trial lawyers of the forum. For exception, this Council makes part of the constitutional Jurisdiction when knows on processes and tutelage actions. At Departmental and Municipal level Sectional Councils of the Judicature that complete the same functions of the National Council exist and they are attributed hierarchically to this.

VI. The General Prosecutor of the Nation The Prosecutor is the Maximum judicial authority in punitive matter and its main mission is to investigate all kinds of criminal conducts or crimes, to pursue to the responsible ones, to collect the enough evidences to prosecute them and to request the penal Judges of the Republic that sanction them with exclusive hardships of the freedom, with tickets or anyone another personal sanction that leads to recoup the damage or to reestablish the personal, economic, juridical order or unsound, rapturous politician or extinguished with the crime. In the Colombian Territory a The General Prosecutor existent whose presence and action in cities, municipalities, districts and departments are made through the different categories, classes of Local, Sectional and Specials. It leaves important of the functions carried out by the General Office, the **C.T.I.** (*Technical Office of criminal Investigation*) completes them. This organism highly technological has scientific advances in forensic sciences for the study and analysis of the criminal test in the different fields, as the, the digital picture, the ballistics, typewriting the medicine and the forensic laboratory (especially for analysis of human liquids as the blood, semen, urinates, among other). This judicial entity becomes the right arm of the General Office in the execution of the works of prevention, persecution and scientific investigation of the criminal conducts in Colombia.

III. THE CONSTITUTIONAL GLOSSARY

ACCESS TO THE JUSTICE: It is a fundamental Right that has every person to require of the judicial authorities the settles to their juridical conflicts in opportune, effective form and according to the Ordinance juridical.

JUDICIAL AUTHORITIES: They are servants of the State belonging to the judicial branch of the public power, which decide the juridical conflicts by means of providences judicial and previous jurisdictional procedures.

C.T.I: Technical Office and of Investigation belonging to the General Prosecutor of the Nation, in charge of putting the throughout forensic and investigative technology to the service and clarification of all criminal activity in Colombia.

JURIDICAL CONFLICT: It is controversy between two or more people to each other or against the State, when you unite and other the recognition, the non violation or elimination of performances are disputed against the constitutional laws or legal that they show or they believe it bases they are regular or possessors of the same ones.

SOURCES OF THE RIGHT: it is the base or origin of the right. The formal sources of the Colombian right are: The constitutional norms, the law, the decree laws, the administrative acts; the jurisprudence, the doctrine, the usage and the general principles of the right.

JUDGE: It is the servant of the tied State to the jurisdictional branch of the public power authorized by the Law Classification to solve the conflicts or juridical controversies among the matters or enter these and the State through judicial providences or you sentence, previous respective judicial procedure.

ADMINISTRATIVE JUDGE: It is servant of the State that settles the juridical conflicts between the individuals and the State, with occasion of an act, fact or administrative operation or of a state contract.

COLLEGIATE JUDGE: It is servant of the State that settles juridical conflicts in form plural in the Tribunals or Courts of different jurisdictions (Administrative Tribunal, Judicial Tribunal, Supreme Court or Constitutional Court). To these judges they are also known as *Magistrates*.

JUDGE OF FAMILY: It is servant of the State that settles civil and/or penal juridical conflicts of the family.

INDIVIDUAL JUDGE: It is servant of the State that settles the juridical conflicts in personal form or individualized in the judicial offices or tribunals of different categories (municipal, promiscuous or of circuit) and juridical areas (of family, labor, penal, administrative, promiscuous).

LABOR JUDGE: It is servant of the State that settles juridical conflicts of the work between the worker or employee and the employer or boss.

PENAL JUDGE: It is servant of the State that settles juridical conflicts arisen by the commission of a crime against people, the goods chattels and real estates or the material property, intellectual or industrial, per example.

PROVIDENCES JUDICIAL (or decisions): Acts of law emitted by the individual judges or collegians that incorporate a judicial decision with juridical goods to people involved in a jurisdictional process with obligatory character. The providences can be sentences if they finish a process, or interlocutory decisions or of passage, if they help to decide a process partially or they impel it until their termination.

IV. THE CONSTITUTIONAL PRECISION: THE JUDICIARY BRANCH AND THEIR NATIONAL ORGANIZATION

THE JUDICIARY BRANCH

(Title VIII, articles 228 at 257 of the Constitution)

The Title VIII, it is composed of twenty-nine (29) articles and seven (7) Chapters, which refer to the following:

THE CHAPTER I:

Concerning to the General Dispositions (Articles 228 at 233 of the Constitution): The Administration of Justice like public function of the State; access to the justice like all person's right; sources of the right; and, requirements to be Magistrate of the High Judicial Courts.

THE CHAPTER II:

Concerning to the Ordinary jurisdiction (Articles 234 at 235 of the Constitution): Supreme Court of Justice like Maximum Tribunal of the Ordinary Justice and their functions.

THE CHAPTER III:

Concerning to the Jurisdiction Contentious Administrative (Articles 236 at 238 of the Constitution): Council of State is the Maximum Tribunal of the Jurisdiction and their attributions; and, the suspension of administrative acts for via judicial.

THE CHAPTER IV:

Concerning to the Constitutional Jurisdiction (Articles 239 at 245 of the Constitution): The Constitutional Court is the Maximum Tribunal of the Jurisdiction; requirements to be a Magistrate; The functions of the Tribunal and the control of constitutionality of general, special laws and Decrees legislative of the National Government

THE CHAPTER V:

Concerning to the Special Jurisdictions (Articles 246 at 248 of the Constitution): The authorities of the indigenous towns; the Justice of Peace and people's judicial records

THE CHAPTER VI:

Concerning to the General Prosecutor of the Nation (Articles 249 at 253 of the Constitution): Integration and National structure of the Office; The functions of the General Prosecutor of the Nation and The General Prosecutor in the States of Exception

THE CHAPTER VII:

Concerning to the Superior Council of the Judicature (Articles 254 at 257 of the Constitution): Composition of the Superior Council; requirements to be Magistrate of the Council; functions of the National Council of the judicature and the Sectional ones

THE JUDICIARY BRANCH IN COLOMBIA

(Title VIII, articles 228 at 257 of the Constitution)

I. THE ADMINISTRATION OF JUSTICE IS A PUBLIC FUNCTION OF THE STATE

(The Chapter I: Articles 228 at 233 of the Constitution)

A. The judicial decisions are independent and their performances are public and permanent in the whole Colombian territory. It is guaranteed all person the access to the justice. The system of sources of the right also governs for the judicial branch.

B. To be Magistrate of the Judicial High Courts, it is required from birth to be Colombian, citizen, lawyer and without inabilities and incompatibilities. They have individual periods and they are not reelects.

II. THE COURT SUPREME OF JUSTICE

(The Chapter II: Articles 234 at 235 of the Constitution)

A. The composition: Maximum Tribunal of the ordinary Jurisdiction. The Magistrates are distributed in four (4) into chambers: Plenary, of civil and agrarian Cassation, of Labor Cassation and Penal Cassation.

B. The attributions: As Maximum Tribunal of Cassation; Judges for crimes to the President of the Republic and the high officials of the Tribunals and the General Prosecutor of the Nation; investigates and judges to the Congressmen and servants of the State of the different branches and organisms of the public power; knows of the judicial matters of the diplomatic agents and the other ones provided in the law.

III. THE COUNCIL OF STATE

(The Chapter III: Articles 236 at 238 of the Constitution)

A. The composition: The Magistrates are distributed in three (3) into Chambers: Plenary, Administrative Contentious Court and Court of Consultation and Civil Service, and Five (5) Sections. The Sections settles the conflicts contentious administrative of nullity of the administrative acts as well as in contractual matter, labor of the employees of the State, electoral matters, miners, agrarian and tributary; among other more.

B. The attributions: it is the Maximum Tribunal in administrative contentious matters. It solves appeals of the Regional Administrative Tribunals; Knows of the actions for nullity for unconstitutionality of Decrees-administrative of the National Government; it is advisory Organism of the Government in administration matters and contract of state; Knows of the matters it has more than enough loss of investiture of Congressmen.

THE CONSTITUTIONAL COURT

(The Chapter IV, articles 239 at 245 of the Constitution)

1. **The composition:** The Court is integrated by Magistrates of the diverse specialties of the right. These are elected by the Senate of the Republic for periods of eight (8) years, of ternary that present the President of the Republic, the Supreme Court of Justice and the Council of State. The Magistrates during their period and one year later won't be able to exercise positions or functions dedicated by the Government.
2. **The attributions:** The Court has as main function the custody of the integrity and the supremacy of the Constitution; he/she Decides the unconstitutionality demands against the reformatory acts of the Constitution; it Settles conflicts about the constitutionality from the convocation to Referendum or Constituent National Assembly; About the constitutionality of the referendums it has more than enough laws and the popular consultations and plebiscites of national order; On the unconstitutionality of laws, the ordinance-laws and the legislative ordinances sent by the National Government in the exception state; On the projects of statutory laws and have more than enough unconstitutionality of international Treaties and of the laws that approve them.
3. **The Decisions or Sentences of the Court:** These once emitted, they make transit to constitutional judged thing (or *res judicata*).

THE SPECIAL JURISDICTIONS

(The Chapter V, articles 246 at 248 of the Constitution)

I. THE INDIGENOUS AUTHORITIES

They work in level territorial native of conformity with their norms and own procedures.

The law will establish the coordination of this special jurisdiction with the national judicial system.

II. THE JUDGES OF PEACE

They settle individual and community conflicts in justness.

They can be electing by popular voting.

III. THE GENERAL PROSECUTOR OF THE NATION

(The Chapter VI: Articles 249 at 253 of the Constitution)

1. **The composition:** The Office of the Prosecutor is integrated by The Prosecutor General, Prosecutor sectionals, Prosecutor of Locals. The Prosecutor General have the same qualities that to be Magistrate of the Supreme Court of Justice.
2. **The special Law régime:** The Office of the Prosecutor has to specific judicial ranking system that regulates entrance, permanency, qualification and retirement. It specifies a régime of inabilities and incompatibilities, social services and disciplinary régime.

IV. THE GENERAL PROSECUTOR OF THE NATION

The attributions: The Office of the Prosecutor, Investigates all the crimes and it accuses the presumed offenders before the courts and domestic tribunals. In the investigation it can adopt insurance measures in provisional form and to qualify and to declare the preclusion of the same ones when there are legal reasons for this; it coordinates the judiciary police functions with the uniformed National Police; it is guard the protection of victims, witness and interveners in the process.

V. THE SUPERIOR COUNCIL OF THE JUDICATURE

(The Chapter VII: Articles 254 at 257 of the Constitution)

A. The composition: The council of the judicature is integrated by two into chambers: a) Administrative chamber, and b) Jurisdictional Disciplinary chamber. To be Magistrates of this Council, it is required: to be Colombian for birth, citizens, lawyers, bigger than 35 years and exercised book credit the profession for more than ten years

B. The attributions or functions: The National Council as the Sectional ones administers the judicial ranking system; they elaborate the whole process of the judicial officials' competition; they investigate and they sanction to the lawyers or judicial officials for violations to the professional ethics Code and the effective Ordinance juridical; to take the control of efficiency of the Corporations and Judicial Offices; it Settles the competition conflicts among the different jurisdictions.

V. THE CONSTITUTIONAL READINGS

1. THE ADMINISTRATION OF JUSTICE PRESUPPOSES THE EXISTENCE OF A SOCIAL STATE OF RIGHT

“One of the essential budgets of all state, and especially of the Social State of right, it is the one of having a due administration of justice. Through her, they are protected and they become effective the rights, the freedoms and the whole population's covenants of title, and they are defined the obligations and the duties that attend the administration and the associates equally. It is as well he/she writes down it the disposition (article 1 of *the Law 270 of 1996, Statutory of the Colombian Justice*), of the general commitment in reaching the social and peaceful coexistence, of maintaining the national agreement and of assuring the integrity of a political, economic and social order exactly. For the achievement of those made..., it is indispensable the collaboration and the trust of the matters in their institutions and, for the same thing, the demonstration on behalf of these that they dog be to the height of their serious commitment with the society. This way, in what concerns to The administration of justice, every time it is claimed with more insistence a serious, efficient and effective justice in which the judge abandons his static paper, as simple observer and mediator inside the juridical traffic, and become a participant more than the daily relationships in a such way that their shortcomings are not only properly sustained from an artificial perspective, but rather, also, respond to an actual knowledge of the situations that they correspond him to settle.

(...) This way, the justice has passed then, of being a public service more, to become a true public function..." (***The Court Constitutional of Colombia Sentence of February 5 of 1996***).

The administration of Justice in Colombia constitutes the real balance of the branches of the public power, the guarantee and effectiveness of the rights of all the inhabitants from Colombia, the most alive interpreter and applied of the face right to settle the juridical conflicts among the individuals and enter these and the State; as well as pantry of the public morals in the one that all earlier one that it takes will end up drinking of its sources in search to settle all judiciary controversy to preserve the civilized life of people.

2. THE ACCESS TO THE JUSTICE AS FUNDAMENTAL RIGHT OF EVERY PERSON IN COLOMBIA

"The right of all the people of consenting to the administration of justice is related directly with the state duty of committing with the ends characteristic of the social State of right and, especially, with the prevail of the peaceful coexistence, the validity of a fair order, the respect to the human dignity and the protection to the associates in its life, honors, goods, beliefs, rights and freedoms (Articles 1º and 2º Political Constitution of Colombia). The access to the administration of justice implies, then, the possibility that any person requests to the judges having jurisdiction the protection or the reestablishment of the rights that consecrate the Constitution and the law. However, the function in I comment doesn't understand each other concluded with the simple application or the position of the procedural pretenses before the respective judicial instances; on the contrary, the access to the administration of justice should be effective, that which is achieved when, inside certain circumstances and with arrangement to the law, the judge guarantees an equality to the parts, it analyzes the evidences, it arrives to a free convincing, it applies the Constitution and the law and, if it is the case, it proclaims the validity and the realization of the threatened rights or harmed (...). It is inside this mark that the Constitutional Court has not hesitated in qualifying to the right to that makes allusion the norm that is revised in the articles 29 and 229 of the Constitution, like one of the fundamental rights (...) susceptible of immediate artificial protection through the mechanisms like the tutelage action foreseen in the article 86 superior" (***Sentence of February 5 1996***).

Every person, directly or through legal representative or lawyer, is entitled access to the administration of justice, aided in the Effective Ordinance Law, so that is recognized, respect, conserve the fundamental rights that they could to be harmed or threatened by other people or for the same State. Equally can go before the individual judges (civil, penal, labor, of family, administrative), fiscal and collegiate judges (Superior, Administrative or Special Tribunals, Constitutional Court, Supreme Court of Justice, Council of State or Superior Council of the Judicature), so that it settles or solve the conflicts or juridical controversies arisen among matters or enter these and the State. This fundamental right of access to the justice this Plenary aided in Colombia by the Constitution and the laws

VI. THE ACTIVITIES OF THE STUDENT

I. Complete the following propositions:

1. The judiciary authorities are: _____

2. The access to the justice is: _____

3. The Judge is: _____

4. The Court Constitutional is: _____

5. The Council of State is: _____

6. The Administrative Judge is: _____

II. Mark with an X, the correct answer that corresponds to the following propositions:

1. **The individual judges and collegians of the Republic belong to:**
 - a) The legislative branch of the public power
 - b) The executive branch of the public power
 - c) The judicial or jurisdictional branch of the public power
 - d) All the previous ones
 - e) None of the previous ones

2. **The Supreme Court of Justice is the Maximum judicial Authority in:**
 - a) To solve juridical conflicts belonging to the ordinary justice
 - b) To solve juridical conflicts belonging to the administrative contentious justice
 - c) To solve juridical conflicts belonging to the constitutional justice
 - d) All the previous ones
 - e) None of the previous ones

3. **The Administration of justice is:**
 - a) A public service
 - b) A public function
 - c) A public activity
 - d) All the previous ones
 - e) None of the previous ones

- 4. The judges settle the juridical conflicts through:**
- a) Administrative decisions
 - b) Legislative decisions
 - c) Providences or decisions Judicial
 - d) All the previous ones
 - e) None of the previous ones
- 5. The Superior Council of the Judicature is the Maximum Authority in:**
- a) Juridical-penal matters
 - b) Civil and labor juridical matters
 - c) Matters administrative and jurisdictional disciplinarians of the judiciary branch
 - d) All the previous ones
 - e) None of the previous ones
- 6. The General Prosecutor of the Nation takes charge in Colombia of:**
- a) To administer the budget of the judicial branch
 - b) To investigate the commission of all punishable conduct or crime
 - c) To solve the administrative contentious judiciary conflicts
 - d) All the previous ones
 - e) None of the previous ones
- 7. They don't belong to the constitutional jurisdiction in our State:**
- a) The Supreme Court of Justice
 - b) The Council of State
 - c) The Superior Council of the Judicature
 - d) The General Prosecutor of the Nation
 - e) The Tribunals of the different classes and categories
- 8. They belong to the limited jurisdictions in Colombia:**
- a) The administrative authorities
 - b) The legislative authorities
 - c) The indigenous authorities and the justice of the peace
 - d) All the previous ones
 - e) None of the previous ones
- 9. It is not considered as source of the right to:**
- a) The jurisprudence
 - b) The constitutional norms
 - c) The Doctrine
 - d) The Usage
 - e) The bills
- 10. The judges when dictating their sentences are subjected to the one:**
- a) Empire of the Ordinance juridical
 - b) Empire of their own convictions

- c) Empire of the decisions of the High Courts
- d) All the previous ones
- e) None of the previous ones

VII. THE ACTIVITIES OF THE PROFESSOR

I. In study symposium he/she examine and express their opinions on the following themes:

1. The authorities of justice in our State, at the moment have a prestige won by their effective and opportune performances. Do you believe that this is true or partially certain? Why do you reason?
2. At some time your parents, family or have you used the services of a judge of the Republic? In affirmative case what qualification do you assign them?
3. The changes to the administration of justice incorporated by the Constituent National Assembly in 1991, today in day, they are considered favorable or unfavorable for the defense and protection of the human rights in Colombia. Which are the reasons for one and another answer?
4. The constitutional jurisdiction in Colombia became famous for the exercise of every person to defend the fundamental rights through the tutelage action. What opinion does him deserves this statement and why do you reason?
5. The indigenous peoples in Colombia, after the Constitution of 1991, were recognized among other authorities some of character judicial calls "Special jurisdictions" that solve their juridical conflicts. Do you believe that this is favorable or unfavorable for the interests of these peoples?