

DECISION T – 1090 /05 DISCRIMINATION ON THE BASIS OF RACE

The Constitutional Court accepted the action for protection filed by a black female youth who was denied entry to a disco in the city of Cartagena de Indias (Colombia) because she was black. The Court recalled that under the definition of *suspect classifications*, the authorities of the country accept that the Afro-Colombian community has been subject to historical subjugation, cultural denigration and social abandonment.

According to the Court, equality is a fundamental component of the State and society and consequently, any discriminatory or differential treatment that is not fully in line with the principles of the Colombian Constitution should be rejected. In the judgment, the Court held that in this case discrimination affects not only the fundamental rights of the plaintiff but also ignores and excludes directly the existence of the Afro-Colombian community.