

Press Release

Inter-American Court of Human Rights

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The President of Costa Rica, Carlos Alvarado and the Vice-President of the Court of Justice of the European Union, Rosario Silva de Lapuerta, will participate in the inauguration of the Inter-American Judicial Year 2019

San José, Costa Rica, January 25, 2019.- The Inter-American Court of Human Rights will celebrate its 129th period of ordinary sessions between January 28 and February 8 in San José, Costa Rica.

I. Ceremony of the Opening of the Judicial Year 2019

On Monday, 28 January, the opening ceremony of the Inter-American judicial year 2019 will be held on the premises of the Court between 10:00 AM and 12:00 PM (Local hour of Costa Rica – GMT-6). Amongst other high state authorities and diplomatic staff, the President of Costa Rica, Carlos Alvarado Quesada, the First Lady, Claudia Dobles Carmago, the Minister of the Presidency, Rodolfo Piza Rocafort, the Minister of Foreign Affairs of Costa Rica, Manuel Ventura Robles and the Vice-President of the CJEU, Rosario Silva de Lapuerta, will be attending the event.

Ricardo Pérez Manrique will be inducted at the ceremony as new judge of the Inter-American Court, as voted by the General Assembly of the Organization of American States on June 5, 2018. Subsequently, the President of the Court, Judge Ferrer, will hold an opening speech, which will be followed by a speech of the President of Costa Rica. The event will end with a keynote speech, held by the Vice-President of the CJEU: “The Court of the European Union and the protection of Human Rights: Main achievements and current challenges”.

The ceremony will be transmitted live on the following link: www.corteidh.or.cr/en

II. Public hearings

The Court will hold the following public hearings:

a) Case Álvarez Ramos v. Venezuela

January 28 from 15:00 to 18:00 h and January 29 from 9:00 to 13:00 h.

The case relates to the presumed violation of the right to freedom of expression, political rights and the right to freedom of movement of Tulio Álvarez Ramos, owing to criminal proceedings against him based on the alleged commission of the offense of aggravated defamation. In addition, the presumed violation of the right to presumption of innocence and other guarantees of due process during the trial against him are alleged. You can find more about the case [here](#) (available only in Spanish) and access the decision calling for a hearing [here](#)¹ (available only in Spanish).

¹ It is clarified that, due to an internal re-programming, the mentioned public hearing will be held on January 28 from 15:00 h and will continue on January 29 in the morning, during the 129 period of ordinary sessions, held in San José, Costa Rica, on the premises of the Court and not as specified initially in the resolution.

b) Case Perrone y Preckel v. Argentina²

January 30 from 15:00 to 19:00 h

The case relates to the presumed violation of the rights to judicial guarantees and judicial protection in the administrative and judicial proceedings filed by Elba Clotilde Perrone and Juan José Preckel to require the payment of loss of earning and social benefits in the state entity in which they worked owing to their supposed arbitrary deprivation of liberty by state agents in 1976 during the military dictatorship. The Commission considered that fact that administrative and judicial proceedings has lasted for more than 12 years exceeded the time that could be considered reasonable. It also concluded that the administrative and judicial authorities presumably violated the right to a satisfactory and sufficient reasoning of decisions. Furthermore, the Commission considered that, as they had violated the said guarantees of due process, the administrative and judicial proceedings also entailed a violation of the right to judicial protection. You can find more about the case [here](#) (available only in Spanish) and access the decision calling for a hearing [here](#) (available only in Spanish).

c) Case Díaz Loreto et al v. Venezuela

January 31 from 09:00 to 18:00 h.

The case relates to the alleged international responsibility of the State of Venezuela for the extrajudicial executions of the brothers, Robert Ignacio and David Octavio Díaz Loreto, and their father, Octavio Ignacio Díaz Álvarez, on January 6, 2003, presumably by police agents from the Public Order and Security Corps of Aragua state in Venezuela (CSOPEA). Considering two radically different versions of the events, past more than 14 years ago and without a definite judicial clarification thereon, the Commission determined that the state had not complied with the charge of offering a satisfactory explanation concerning the use of lethal force. The Commission identified similarities within the context and modus operandi of extrajudicial executions in Venezuela, known to the Inter-American system from other cases. In addition, it is alleged that supposed violations of judicial guarantees and protection were committed during the investigation and criminal proceedings relating to these acts. The Commission determined that presumed violation of the mental and moral integrity of the family members owing to the pain and suffering inherent in the circumstances in which the three presumed victims lost their life, as well as the alleged lack of response to the actions to obtain justice they have undertaken; particularly in a context in which they have reported threats and harassment against them owing to the efforts they have made in this regard. You can find more about the case [here](#) (available only in Spanish) and access the decision calling for a hearing [here](#) (available only in Spanish).

d) Case Jenkins v. Argentina³

February 1 from 9:00 to 13:00 h.

The case relates to the international responsibility of the State of Argentina for the alleged arbitrary deprivation of liberty of Gabriel Oscar Jenkins from June 8, 1994 to November 13, 1997. The alleged arbitrary deprivation of liberty took place in the context of a criminal case heard by the Oral Federal Criminal Court No. 6 for crimes of illicit drug trafficking and illicit association, of which he was finally acquitted. The Commission determined that the arbitrariness of the preventive detention was evidenced by the fact that it was ordered automatically and that, in the case of Mr. Jenkins, it was based on indications of responsibility and did not attend to any procedural purpose. In addition, the Commission stated that during Mr. Jenkins' deprivation of liberty, no review of the reasons of his pre-trial detention was undertaken. This lack of revision was a consequence of, as alleged, the preventative detention being operated in an automated manner and that there was a legal prohibition of liberation in Article 10 of Legislature 24.390 for the offence for which it was being processed. As a consequence, the Commission determined that the duration of three years and five months of the preventative detention was excessive and constituted an anticipation of the penalty. The Commission added that the interposed judicial

² Judge Eugenio Raúl Zaffaroni will participate in neither the hearing nor the deliberations of the case as he is of Argentine nationality, pursuant to Article 19(1) of the Rules of the Court.

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remedies did not allow for an effective revision without any due delay both for the motivation and the duration of the preventative detention. The Inter-American Court also determined that the difference in treatment, referred to in Article 10 of Legislature 24.390 and its application to the present case, was incompatible with the right of equality before the law. Finally, the Commission concluded that the civil action of damages and prejudices interposed by Mr. Jenkins, had an irrational duration. You can find more about the case [here](#) (available only in Spanish) and access the decision calling for a hearing [here](#) (available only in Spanish).

e) Case Rosadio Villavicencio v. Perú

February 06 from 9:00 to 18:00 h.

The case relates to the presumed different violations of due process committed during three proceedings: (i) disciplinary administrative; (ii) criminal, and (iii) military criminal, which were filed against Jorge Rosadio Villavicencio based on his actions in an intelligence operation in which he was supposed to infiltrate drug-trafficking groups in the area of Sion in Peru in order to capture the drug traffickers. You can find more about the case [here](#) (available only in Spanish) and access the decision calling for a hearing [here](#) (available only in Spanish).

f) Case Arrom Suhurt et al v. Paraguay⁴

February 7 from 09:00 to 18:00 h.

The case relates to the alleged enforced disappearance and torture of Juan Francisco Arrom Suhurt and Anuncio Martí Méndez, presumably leaders of the political movement, Patria Libre, from January 17 to 30, 2002. Messrs. Arrom and Martí reported that they had been detained by state agents who apparently questioned them about their political activities and exerted pressure on them to admit they had abducted María Edith Bordón de Debernardi. The petitioners stated that their next of kin looked for them until they found them. Presumably Messrs. Arrom and Martí obtained refugee status Brazil on December 1, 2003. In addition, it is argued that, during the judicial proceedings to investigate the abduction of María Edith Bordón, Messrs. Arrom and Martí were declared in contempt of court because they failed to appear. You can find more about the case [here](#) (available only in Spanish) and access the decision calling for a hearing [here](#) (available only in Spanish).

g) Case Yean and Bosico Girls and Case of Expelled Dominicans and Haitians v. Dominican Republic

February 8 from 8:30 to 10:30 h.

The purpose of the hearing is, on one hand, to receive updated information of the Dominican Republic regarding the pending compliance of the two measures of reparation in the Case Yean and Bosico Girls, ordered in the seventh and eighth operative paragraph of the judgment, as well as receiving first information about the compliance of all the measures of reparation ordered in the Case of Expelled Dominicans and Haitians.

III. Judgments

The Court will deliberate on the following contentious cases:

a) Case Villaseñor Velarde et al v. Guatemala

The case relates to the presumed series of threats, aggression, intimidation and harassment suffered by Judge María Eugenia Villaseñor, who had participated in diverse judicial proceedings between 1991 and 2012, some with national or international impact. During those years, she reported her status of victim due to the following: (i) searches of her home; (ii) death threats

⁴ Judge Eugenio Raúl Zaffaroni will participate in neither the hearing nor the deliberations of the case, pursuant to article 19(2) of the Statute of the Inter-American Court of Human Rights and article 21(2) of the Rules of Procedure of the Inter-American Court of Human Rights; hence, the Judge will not participate in the hearing and deliberation of the case.

through phone calls, sms or even by persons standing out of her house, an attempt to abduct her daughter, the abduction of one of the agents who guarded her home, a beating of her sister and the death of a niece who was run over by a car; (iv) the theft of personal information; (v) attempts to break into her car, destruction of tires and telephone cable, and (vi) statements and communications by unidentified individuals denigrating her actions as a judge. The Commission stated the above took place in an alleged context of insecurity towards Judge Villaseñor. The Commission reported that the State was aware of the threats suffered by Ms. Villaseñor and that the same had not been investigated appropriately to identify the sources of the danger, eliminate them and impose sanctions. The Commission stated that this situation was jeopardized due to the role of Ms. Villaseñor as judge, in the exercise of public powers, throughout several cases of human rights violations and crimes against property committed by public agents. It was alleged by the Commission that the facts remain unpunished. You can find out more about the case [here](#) (Available only in Spanish).

b) Case Muelle Flores v. Perú

The case relates to the presumed violation of the right effective judicial protection as a result of the supposed failure to comply, for 24 years, with a court judgement in favor of Mr. Muelle Flores in the context of an *amparo* decision ordering his reincorporation into the pension regime under Decree Law No. 20530. It is alleged that the Peruvian authorities had failed to comply with the court judgment in favor of Mr. Muelle and that the judicial mechanisms used subsequently in order to achieve compliance had been ineffective. You can find out more about the case [here](#) (Available only in Spanish).

c) Case Colindres Schonenberg v. El Salvador

The case relates to the removal of Eduardo Benjamín Colindres from his post as a Justice of the Supreme Electoral Tribunal by the Legislative Assembly on March 17, 1998. The Legislative Assembly presumably violated numerous guarantees of due process, including the right to a competent judge as well as the guarantee of impartiality and the principle of legality. You can find out more about the case [here](#) (Available only in Spanish).

IV. Oversight of compliance with judgments, provisional measures, collaboration agreements and administrative matters

Additionally, the Court will supervise the compliance of several judgments and the implementation of the ordered provisional measures as well as analyses administrative matters. The Court will also sign several collaboration agreements with public entities and universities.

The Court's composition during this period of sessions will be as follows: Judge Eduardo Ferrer Mac-Gregor Poisot, President (Mexico); Judge Eduardo Vio Grossi, Vice-President (Chile); Judge Humberto Antonio Sierra Porto (Colombia); Judge Elizabeth Odio Benito (Costa Rica); Judge Eugenio Raúl Zaffaroni (Argentina); Judge Patricio Pazmiño Freire (Ecuador) and Judge Ricardo Pérez Manrique (Uruguay).

This press release was produced by the Secretariat of the Inter-American Court of Human Rights, which has the sole responsibility to do so. For the latest information please visit the website of the Inter-American Court, <http://corteidh.or.cr/en>, or send an email to Pablo Saavedra Alessandri, Secretary, at corteidh@corteidh.or.cr. For press inquiries please contact Marta Cabrera Martín at prensa@corteidh.or.cr. You can sign up for updates from the court here or unsubscribe sending an email at biblioteca@corteidh.or.cr. You can also follow the activities of the Court on en [Facebook](#), [Twitter](#) and [Flickr](#).

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