



I/A Court H.R.
Protecting Rights

INTER-AMERICAN COURT OF HUMAN RIGHTS

Annual Report **2022**



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Foreword

I. Foreword



Judge Ricardo C. Pérez Manrique
President of the I/A Court H.R.

On behalf of the Judges of the Inter-American Court of Human Rights, as well as its Secretariat, I have the honor of presenting the 2022 Annual Report which describes the most significant tasks accomplished by the Court during the year and the most relevant developments in its Case Law on human rights.

In 2022, I assumed the presidency of the Inter-American Court, which I accepted with humility and with the commitment to give the best of myself to guide this institution, which is responsible for the protection of human rights in a continent of more than 600 million people. I greatly appreciate the confidence placed in me by my colleagues, the Judges who elected me to head this Court over the period 2022-2023. I am also grateful to Judge Humberto Antonio Sierra Porto for his services as Vice President during 2022. In 2023, Judge Eduardo Ferrer MacGregor Poisot will assume the vice presidency of the Court for that year.

I would like to take advantage of these lines to express my confidence in the work of my colleagues who initiated their mandate in 2022, Judge Nancy Hernández López, Judge Verónica Gómez, Judge Patricia Pérez Goldberg and Judge Rodrigo Mudrovitsch; their legal opinions will be crucial to the Court's upcoming work. I would also like to highlight that this composition of the Court brings it close to the parity required in all decision-making organs, thus permitting a greater democratic representativeness.

Despite the post-pandemic challenges, the Inter-American Court has been able to combine its in-person activities with virtual sessions, thus establishing a court that conducts its work in a hybrid manner. Within the framework of an "open-door court," the Inter-American Court was able to resume its visits to the States, a crucial element for its interactions as an organ of justice, in order to maintain an active dialogue with the diverse social and institutional actors. Organs of justice should always be open entities that have no fear of relations and dialogue with the States so that judges may have a first-hand perspective of the continent's challenges. Accordingly, in August, the Court held a Regular Session in Brasilia following an invitation from Brazil, and another in Uruguay, later the same month.

In 2022, our Court increased the number of sessions held during the year. Nine Regular Sessions and three special sessions were held, which represented a total of 23 weeks of collegiate meetings.

During the sessions, the Court held 32 public hearings on Contentious Cases, 12 on monitoring compliance with Judgment, 3 on Provisional Measures, and 1 on Provisional Measures and monitoring compliance; it also conducted 3 procedures. In addition, 25 judgments on Preliminary Objections, Merits, Reparations and Costs, and 9 interpretation Judgments were handed down. The Court also issued 45 orders on monitoring compliance with Judgment.

With regard to its Case Law during the year, it should be noted that the Court has continued to rule on innovative issues, and also to consolidate important international standards concerning human rights, judicial independence, and freedom of expression and subsequent liability for the exercise of this right, limiting the possibility of the use of criminal law to protect the honor public officials. The Court determined the differentiated approaches that States should apply based on the special needs of different population groups deprived of liberty to ensure that the execution of sentence respects their human dignity. It also developed political rights and the freedom of expression of opposition political parties, and State responsibility for the repression and elimination of individuals due to political ideology. In addition, it had the opportunity to examine in greater detail the right of women to a life free of violence, obstetric violence, and the differentiated gender-based impacts on women family members of victims of forced disappearance. Furthermore, it developed the labor rights and specific labor protection obligations for persons with disabilities, as well as for older persons, and it reiterated important standards concerning restriction of the use of capital punishment, as well as requirements and limits for pre-trial detention to be legitimate, among other important topics.

I would like to highlight three initiatives during 2022. First, the Court implemented a new procedure for notifying judgments in an act with the participation of the parties, open to the press and the general public. Second, it established judge rapporteurs by country in order to follow up more closely on the procedure of monitoring compliance with Judgment, and it has begun to systematize the Case Law on monitoring compliance. Third, on October 10, 2022, an Ethics Code for the Court's judges was issued.

Starting in 2022, the Court began to implement the policy of a "green court." This vision of sustainable justice involves a reduction in the use of paper, a decrease in the carbon footprint, and the use of technologies that seek to make its judicial task sustainable and inclusive. The change to sustainable energy includes the installation of solar panels at our seat, and the exclusive use of electric vehicles. The Court is grateful to the German cooperation agency for its contribution to the realization of the green court.

I would also like to emphasize that the Court has reinforced its training procedures. In 2022, it organized 21 human rights training events on different Case Law topics using diverse resources and methodologies. In this way, more than 1,800 people received training. The Inter-American Court also resumed the in-person training activities that, owing to the pandemic, had been transformed into virtual sessions. Thus, between May and December 2022, the Court organized 13 in-person training events in four States parties.

Journalists and the media are a very important public in an "open-door Court" strategy. In addition to improving existing information dissemination channels, the Court has reinforced its daily communication with the region's journalists through the creation of a network (the Dialoga Network), incorporating more than 6,500 journalists and communicators in the region who regularly receive and share information on the work of the Court. To increase dissemination of information and awareness of its Case Law in the media sector, in-person and virtual meetings between Judges and journalists were organized in 17 States parties.

To fulfill its task of disseminating information on its work, the Court has made 33 publications available to the public, including Case Law Bulletins, infographics, and conference proceedings.

In the context of our policy of rapprochement with the Caribbean region, we visited the Caribbean Court of Justice and took part in the First Hemispheric Meeting of Regional Courts in Trinidad and Tobago. As a result of the meeting, the Port of Spain Declaration was issued, which includes actions relating to joint activities and dialogue between the international courts of our region.

At the close of 2022, I would like to express my appreciation to all those who make the work of the Inter-American Court possible and reaffirm our commitment to continue fulfilling the mandate given to us by the American Convention on Human Rights: the defense and protection of the human rights of everyone on our continent without distinction.

Ricardo C. Pérez Manrique

President of the Inter-American Court of Human Rights

San José, December 2022



The Court: Structure and attributions

II. The Court: Structure and attributions

A. Creation

The Inter-American Court of Human Rights (hereinafter, “The Court”) was formally established on September 3, 1979, by the entry into force of the American Convention on Human Rights (hereinafter “the Convention” or “the American Convention”) on July 18, 1978. The Court’s Statute (hereinafter, “the Statute”) establishes that it is an “autonomous judicial institution” mandated to interpret and apply the American Convention.



B. Organization and composition

As stipulated in Articles 3 and 4 of its Statute, the seat of the Court is in San José, Costa Rica, and it is composed of seven judges, nationals of Member States of the Organization of American States (hereinafter “the OAS”).¹

The judges are elected by the States Parties to the American Convention, by secret ballot and by the vote of an absolute majority during the OAS General Assembly immediately before the expiry of the terms of the outgoing judges. Judges are elected in an individual capacity from among jurists of the highest moral authority and of recognized competence in the field of human rights. In addition, they must possess the qualifications required for the exercise of the highest judicial functions, in accordance with the law of the State of which they are nationals or of the State that proposes them as candidates.²

Judges are elected for a term of six years and may be re-elected only once. Judges whose terms have expired shall continue to serve with regard to the “cases they have begun to hear and that are still pending Judgment and, to this end, they will not be replaced by the Judges newly elected by the OAS General Assembly.”³ The President and the Vice President are elected by the judges themselves for a two-year period and may be re-elected.⁴

The mandates of Judges Eduardo Vio Grossi, Elizabeth Odio Benito, Eugenio Raúl Zaffaroni and Patricio Pazmiño Freire concluded on December 31, 2021. Therefore, on January 1, 2022, Judges Nancy Hernández López, Verónica Gómez, Patricia Pérez Goldberg and Rodrigo Mudrovitsch, elected during the fifty-first General Assembly of the Organization of American States, incorporated the Court and initiated their mandates.

In 2022, Judge Ricardo C. Pérez Manrique, a Uruguayan national, assumed the presidency of the Court. Also, Judge Humberto Antonio Sierra Porto was elected as the new Vice President. The mandate of the President and Vice President elect began on January 1, 2022, and will end on December 31, 2023.

Consequently, the composition of the Court for 2022 was as follows (in order of precedence):⁵

- Judge Ricardo C. Pérez Manrique (Uruguay), President;
- Judge Humberto Antonio Sierra Porto (Colombia), Vice President;
- Judge Eduardo Ferrer Mac-Gregor Poisot (Mexico);
- Judge Nancy Hernández López (Costa Rica);
- Judge Verónica Gómez (Argentina);
- Judge Patricia Pérez Goldberg (Chile);
- Judge Rodrigo Mudrovitsch (Brazil).

The Judges are assisted in the exercise of their functions by the Court’s Secretariat. The Registrar of the Court is Pablo Saavedra Alessandri (Chile), and the Deputy Registrar is Romina I. Sijniensky (Argentina).

1 American Convention on Human Rights, Article 52. Statute of the Inter-American Court of Human Rights, Article 4.

2 Idem.

3 Idem.

4 Statute of the Inter-American Court of Human Rights, Article 12.

5 According to Article 13(1) and (2) of the Statute of the Inter-American Court of Human Rights, “Elected judges shall take precedence after the President and Vice-President according to their seniority in office” and “Judges having the same seniority in office shall take precedence according to age.”

NEW COMPOSITION OF THE COURT 2022



Judge
Eduardo Ferrer Mac-Gregor Poisot

Judge
Humberto Antonio Sierra Porto, Vice President

Judge
Nancy Hernández López

Judge
Patricia Pérez Goldberg

Judge
Ricardo C. Pérez Manrique, President

Judge
Verónica Gómez

Judge
Rodrigo Mudrovitsch

Deputy Secretary
Romina I. Sijniensky

Secretary
Pablo Saavedra Alessandri

C. States Parties⁶

Of the 35 OAS Member States, the following 20 have accepted the Court's contentious jurisdiction: Argentina, Barbados, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Suriname and Uruguay.

⁶ On May 26, 1998, Trinidad and Tobago presented an instrument denouncing the American Convention on Human Rights to the Secretary General of the Organization of American States (OAS). Pursuant to Article 78(1) of the American Convention the denunciation took effect one year later, on May 26, 1999. Also, on September 10, 2012, Venezuela presented an instrument denouncing the American Convention on Human Rights to the OAS Secretary General. The denunciation took effect on September 10, 2013.

CONTENTIOUS JURISDICTION OF THE COURT



D. Functions

According to the American Convention, the Court exercises three main functions: (i) the Contentious function; (ii) the function of ordering Provisional Measures, and (iii) an Advisory function.

1. Contentious function

This function enables the Court to determine, in cases submitted to its jurisdiction, whether a State has incurred international responsibility for the violation of any of the rights recognized in the American Convention or in any other human rights treaty applicable under the Inter-American System and, if so, order the necessary measures of reparation to redress the consequences of the violation of such rights.

There are two stages to the procedure followed by the Court to decide Contentious Cases submitted to its jurisdiction: (a) the Contentious stage, and (b) the stage of monitoring compliance with Judgment.

1. Contentious stage

This stage has six phases:

- a. Initial briefs;**
- b. Oral phase or public hearing and reception of statements;**
- c. Final written arguments of the parties and observations of the Commission;**
- d. Evidentiary procedures;**
- e. Deliberation and delivery of Judgment, and**
- f. Interpretation requests.**

a. Initial written phase

A1) Submission of the case by the Inter-American Commission on Human Rights⁷

The proceedings begin with the submission of the case by the Inter-American Commission on Human Rights ("the Inter-American Commission" or "the Commission"). To ensure the appropriate processing of the case, the Court's Rules of Procedure require that the brief presenting the case include, inter alia:⁸

⁷ According to Article 61 of the American Convention, States also have the right to submit a case for the Court to decide, in which case the provisions of Article 36 of the Court's Rules of Procedure will be observed.

⁸ Rules of Procedure of the Inter-American Court of Human Rights, Article 35.

- a copy of the report issued by the Commission under Article 50 of the American Convention;
- a copy of the complete case file before the Commission, including any communications subsequent to the report under Article 50 of the Convention;
- the evidence offered, indicating the facts and arguments to which it refers, and
- the reasons that led the Commission to present the case.

Once the case has been presented, the President makes a preliminary examination to verify that the essential requirements for its presentation have been fulfilled. If this is so, the Secretariat notifies the case to the defendant State and to the presumed victim, his/her representatives, or the Inter-American defender if applicable.⁹ A Judge rapporteur is now appointed to the case, in chronological order, and, with the support of the Court's Secretariat, he/she examines the respective case.

A2) Designation of an Inter-American Public Defender

When a presumed victim does not have legal representation in a case and/or lacks financial resources and indicates his/her wish to be represented by an Inter-American defender, the Court will inform the AIDEF General Coordinator of the Inter-American Association of Public Defenders (AIDEF) so that, within 10 days, the latter may appoint the defenders who will assume the legal representation and defense. The AIDEF General Secretariat will select two defenders and one substitute¹⁰ from among the Inter-American public defenders to represent the presumed victim before the Court. The chosen defenders are then sent the documentation relating to the submission of the case to the Court so that they may assume the legal representation of the presumed victim before the Court from then on and throughout the processing of the case.

A3) Presentation of the brief with pleadings, motions and evidence by the alleged victims

The alleged victims or their representatives have a non-renewable period of two months following the date of notification of the presentation of the case and its annexes to submit their autonomous brief with pleadings, motions and evidence (also known as "the pleadings and motions brief"). This brief must include, inter alia:¹¹

- a description of the facts, within the factual framework established by the Commission;
- the evidence offered, in the correct order, indicating the facts and arguments to which it relates, and
- the claims, including those relating to reparations and costs.

9 Ibid., Articles 38 and 39.

10 Article 12 of the "Standardized Regulations for the actions of the AIDEF before the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights," approved on June 7, 2013, by the AIDEF Board, and entered into force, pursuant to Article 27 of these regulations, on June 14, 2013.

11 Rules of Procedure of the Inter-American Court of Human Rights, Article 40.

A4) Presentation of the answering brief by the respondent State

The State has two months from the time it receives the pleadings and arguments brief and attachments to present its answer to this brief and also the brief submitting the case presented by the Commission. Its answering brief must indicate, *inter alia*:

- whether it files preliminary objections;
- whether it accepts the facts and the claims or contests them;
- the evidence offered, in the correct order, indicating the facts and the arguments to which it relates;
- the legal arguments, the observations on the reparations and costs requested, and the pertinent conclusions, and
- the possible proposal of expert witnesses, indicating the purpose of their opinions, and accompanied by their curriculum vitae.

This answering brief is forwarded to the Commission and the presumed victims or their representatives.¹²

A5) Presentation of the brief with observations on any preliminary objections filed by the State

If the State files Preliminary objections, the Commission and the presumed victims or their representatives can submit their respective observations within 30 days of receiving notice of the objections.¹³

A6) Presentation of the brief with observations on the State's acknowledgement of responsibility

If the State makes a partial or total acknowledgement of responsibility, the Commission and the representatives of the presumed victims are granted time to forward any observations they deem pertinent.

A7) Possibility of taking other measures in the context of the written proceedings

Following submission of the principal briefs, and before the oral proceedings start, the Commission, the presumed victims or their representatives, and the respondent State may ask the President to take other measures in the context of the written proceedings. If the President considers this pertinent, he will establish time frames for presentation of the respective documents.¹⁴

¹² *Ibid.*, Article 41.

¹³ *Ibid.*, Article 42 (4).

¹⁴ *Ibid.*, Article 43.

A8) Reception of *amicus curiae*:

Any interested person or institution may submit *amicus curiae* briefs to the Court. These are briefs prepared by third persons who are not parties to a case, and who voluntarily offer their opinion on some aspect of the case in order to collaborate with the Court in its deliberations. In Contentious Cases, this type of brief can be presented at any moment of the proceedings, but no more than 15 days after the public hearing. In cases in which no public hearing is held, such briefs must be sent within 15 days of the order setting a deadline for forwarding the final arguments. *Amicus curiae* briefs may also be submitted in proceedings on monitoring compliance with Judgment and on Provisional Measures.¹⁵

b. Oral phase or public hearing

The oral phase or public hearing begins with the submission by the parties and the Commission of the final lists of deponents. When these lists have been received, they are forwarded to the other party so that the latter may forward any observations or objections it deems pertinent.¹⁶

The Court or its President calls for a hearing in an order in which any observations, objections or recusals presented by the parties are taken into consideration if this is found necessary. The order defines the purpose and the method of providing the testimony of each declarant.¹⁷ The hearings are public unless the Court considers it desirable that they be totally or partially private.¹⁸

The public hearing begins with a presentation by the Commission in which it explains the grounds for the report under Article 50 of the Convention and for the submission of the case to the Court, as well as any other matter that it considers relevant for deciding the case.¹⁹ The judges of the Court then hear the presumed victims, witnesses and expert witnesses convened by the above-mentioned order, who are examined by the parties and, if appropriate, by the Judges. The Commission may question certain expert witnesses in exceptional circumstances under the provisions of Article 52(3) of the Court's Rules of Procedure; that is, when the Inter-American public order of human rights is relevantly affected and when their opinion refers to an issue contained in an expert opinion offered by the Commission. After this, the President gives the floor to the parties so they may present their arguments on the merits of the case. Subsequently, the President grants them the opportunity for a reply and a rejoinder. Once the arguments have concluded, the Commission presents its final observations and then the judges pose their concluding questions to the representatives, the victims and the Inter-American Commission.²⁰ This hearing usually lasts a day and a half and is livestreamed via the Court's social networks.

The recordings of the public hearings can be found [here](#).

c. Phase of final written arguments of the parties and final written observations of the Commission

During this phase, the presumed victims or their representatives, and the respondent State present their final written arguments. The Commission presents final written observations if it deems this pertinent.²¹

15 Ibid., Article 44.

16 Ibid., Article 46.

17 Ibid., Article 46.

18 Ibid., Article 15.

19 Ibid., Article 51.

20 Ibid., Article 51.

21 Ibid., Article 56.

d. Evidentiary procedures

Pursuant to Article 58 of its Rules of Procedure, the Court may, “at any stage of the proceedings,” require the following evidentiary procedures, without prejudice to the arguments and documentation submitted by the parties: (1) obtain, on its own motion, any evidence it considers helpful and necessary; (2) request the submission of any evidence or any explanation or statement that, in the Court’s opinion, may be useful; (3) request any entity, office, organ, or authority of its choice to obtain information, express an opinion, or deliver a report or opinion on any given point, and (4) commission one or more of its members to take steps to advance the proceedings, including hearings at the seat of the Court or elsewhere.

e. Phase of deliberation and delivery of Judgment

During the phase of deliberation and delivery of Judgment, the judge rapporteur of each case, supported by the Court’s Secretariat and based on the arguments and evidence provided by the parties, presents a draft judgment to the full Court for its consideration. The judges then deliberate on this draft judgment. During these deliberations, the draft is discussed and approved until the operative paragraphs of the Judgment are reached; these are then voted on by the Court’s judges. In some cases, the judges submit their dissenting or concurring opinions. After the Court has delivered the Judgment, it is published and notified to the parties.

f. Requests for interpretation and rectification

The Court’s Judgments are final and non-appealable.²² Nevertheless, the parties and the Commission have 90 days in which they may request clarification of the meaning or scope of the Judgment in question. Pursuant to the American Convention, the Court decides this matter by an interpretation judgment. The interpretation may be made at the request of either of the parties, provided it is submitted within 90 days of notification of the Judgment.²³ In addition, the Court may, on its own motion, or at the request of one of the parties submitted within one month of notification of the Judgment, rectify any obvious clerical errors or errors in calculation. If a rectification is made, the Court notifies the Commission and the parties.²⁴

B. Stage of monitoring compliance with Judgment

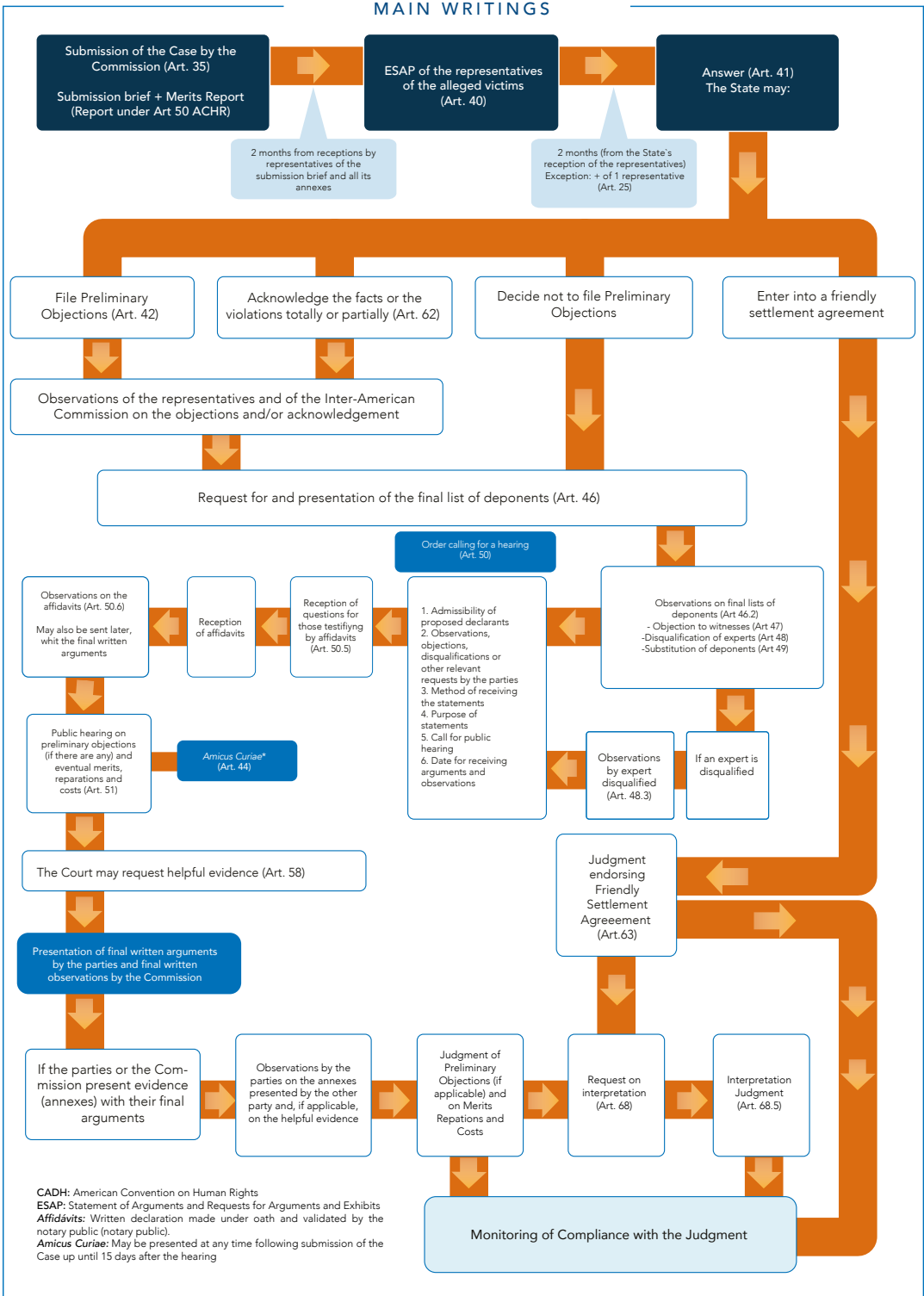
The Inter-American Court is responsible for monitoring compliance with Judgments. The authority to monitor its judgments is inherent in the exercise of its jurisdictional powers, and the legal grounds can be found in Articles 33, 62(1), 62(3) and 65 of the Convention, as well as in Article 30 of the Court’s Statute. In addition, the procedure is regulated in Article 69 of the Court’s Rules of Procedure and its purpose is to ensure that the reparations ordered by the Court in each specific case are executed and complied with fully. See, Section V for a detailed analysis of the Court’s activity in the area of monitoring compliance with Judgments.

22 American Convention on Human Rights, Article 67.

23 *Idem*.

24 Rules of Procedure of the Inter-American Court of Human Rights, Article 76.

OUTLINE OF THE PROCEDURE BEFORE THE INTER-AMERICAN COURT



2. Function of ordering Provisional Measures

According to the American Convention, the Court orders Provisional Measures of protection in order to guarantee the rights of specific individuals or groups of individuals who are in a situation of: (a) extreme gravity and (b) urgency, and (c) at risk of suffering irreparable harm.²⁵ These three requirements must be met for the Court to grant such measures.

The Inter-American Commission may request Provisional Measures at any time, even if the case has not yet been submitted to the Court's jurisdiction. In addition, the representatives of the presumed victims can request Provisional Measures, provided they are related to a case that the Court is examining, either at the merits stage or at the stage of monitoring compliance with Judgment. The Court may also order such measures *ex officio* at any stage of the proceedings.

These measures are monitored by the presentation of reports by the State, and the corresponding comments by the beneficiaries or their representatives and by the Commission, and also by requesting reports from other sources. In addition, the Court or its President may decide to call for a public or private hearing to verify the implementation of Provisional Measures, and even order any procedures that are required, such as on-site visits to verify the actions that the State is taking or to request information from different state entities.

3. Advisory function

This function allows the Court to respond to requests by OAS Member States or organs for the interpretation of the American Convention or other treaties for the protection of human rights in the States of the Americas. Furthermore, at the request of an OAS Member State, the Court may issue its opinion on the compatibility of domestic norms with the instruments of the Inter-American System.²⁶

The main purpose of the Advisory Opinion is to assist member States of the Inter-American System comply with their commitments in the area of human rights. In other words, their objective is to help the States and their organs comply with and apply human rights treaties, without subjecting them to contentious proceedings.

Although circumscribed by the limits indicated in the American Convention, the Court has established that its Advisory function is as broad as necessary to safeguard human rights. Moreover, it should be stressed that the Court is not obliged to issue Advisory Opinions on every aspect and that, based on the admissibility criteria, it may refrain from ruling on certain issues, and reject requests.

All the organs of the Organization of American States may request Advisory Opinions as well as all the OAS Member States, whether or not they are parties to the Convention. The organs of the Inter-American System recognized in the OAS Charter are:

²⁵ American Convention on Human Rights, Article 63(2). Cf. Rules of Procedure of the Inter-American Court of Human Rights, Article 27.

²⁶ *Ibid.*, Article 64.

- a) The General Assembly;
- b) The Meeting of Consultation of Ministers for Foreign Affairs;
- c) The Councils;
- d) The Inter-American Juridical Committee;
- e) The Inter-American Commission on Human Rights;
- f) The General Secretariat;
- g) The Specialized Conferences, and
- h) The Specialized Organizations.

The procedure for Advisory Opinions is regulated in Article 73 of the Court's Rules of Procedure. First, the OAS States or organs must forward to the Court a request for an Advisory Opinion that meets certain requirements.

The formal requirements for requests for an Advisory Opinion are established in Articles 70, 71 and 72 of the Court's Rules of Procedure. The requests must state with precision the specific questions on which the Court's opinion is sought; identify the provisions to be interpreted and the international norms other than those of the American Convention that also require interpretation; the considerations giving rise to the request, and the names and addresses of the agent or the delegates. If the Advisory Opinion is sought by an OAS organ other than the Commission, the request must also specify how it relates to the sphere of competence of the organ in question. In addition, Article 72 of the Rules of Procedure establishes the requirements for requests related to the interpretation of domestic laws. In that case, the request must include the provisions of domestic law and of the Convention or of other international treaties to which the request relates.

Upon receipt of the request, the Court's Secretariat transmits it to the Member States, the Commission, the Permanent Council, the Secretary General, and the organs of the OAS. In the communication, the President establishes a time limit for interested parties to forward written observations and, if pertinent, the Court will decide whether a public hearing should be held and sets a date. The Court also issues a wide-ranging invitation to submit observations to universities, human rights clinics, non-governmental organizations, professional associations, interested persons, state organs, and international organizations.

Lastly, the Court proceeds to deliberate in closed session the issues presented in the request and to issue the Advisory Opinion. In addition, the judges have the right to issue a concurring or dissenting opinion on the request, which will form an integral part of the opinion.

E. Sustainable Inter-American Court

During 2021, tangible steps were taken to advance towards the sustainability of the Inter-American Court in order to optimize the Court's resources and capacity to address climate change.

Major changes were made to the Court's infrastructure. Panels of photovoltaic solar cells were installed to generate power so that, now, 80% of the electricity required is produced from this source. In addition, it was decided to change the Court's traditional gasoline-powered vehicle to one that is 100% electric. The premises of the Inter-American Court were also renovated to make the air conditioning systems less polluting; moreover, the necessary refurbishments were made to ensure that adequate thermal insulation existed to discourage the use of air conditioning. These modifications to the infrastructure were made possible through a contribution from the German Federal Ministry for Economic Cooperation and Development (BMZ), through the German International Development Agency, GIZ.

In addition, the policy to decrease the Court's use of paper has been strengthened in order to reduce its carbon footprint.



Aerial view of the solar panels installed on the premises of the Court.



Sessions held in 2021

III. Sessions held in 2022

A. Introduction

The Court holds collegiate meetings during a certain number of Sessions each year. Starting in 2022, the Court adopted a hybrid method of working. Thus, it holds both in person and virtual Sessions. The in-person collegiate meetings take place both at the Court's seat in San José, Costa Rica, and also away from the seat. During each Session, the Court conducts different activities such as:

Holding hearings on Contentious Cases, and monitoring compliance with Judgments or Provisional Measures

- Deliberating Contentious Cases
- Delivering Judgment on Contentious Cases
- Issuing orders on monitoring compliance with Judgment
- Issuing orders on Provisional Measures
- monitoring compliance with Judgments and implementation of Provisional Measures
- Dealing with different procedures in matters pending before the Court, as well as administrative matters
- Conducting evidentiary procedures.

B. Summary of the Sessions

The Court held nine Regular Sessions, one of which was held in Montevideo, Maldonado and Colonia, Uruguay, and another in Brasilia, Brazil.

In addition, the Court held three Special Sessions with its previous composition because, in three cases and an Advisory Opinion, it had already held hearings.²⁷ The Sessions were held both virtually and in person, using the hybrid method. During 2022, the Court sat for a total of 25 weeks, 16 of which were virtual and 9 in person.

Details of the Sessions appear below:

²⁷ According to Article 17 of the Rules of Procedure of the Inter-American Court of Human Rights, Judges whose terms have expired shall continue to exercise their functions in cases that they have begun to hear and that are still pending Judgment.

Schedule of Sessions for the year 2022





The Court held its 146th Regular Session from January 31 to February 15, 2022, using the hybrid method. From January 31 to February 5, 2022, the Court sat virtually, while from February 6 to 15, 2022, it met in person.

During the Session, the Court delivered two Judgments²⁸ with its previous composition,²⁹ and carried on hearing a case which it continued to deliberate at its 148th Regular Session.³⁰

The Court also held six public hearings on Contentious Cases,³¹ four of which were in person and two virtual.

In addition, the Court examined various matters related to monitoring compliance with Judgment and Provisional Measures, and dealt with administrative matters.

a. Inauguration of the 2022 Inter-American Judicial Year

On February 7, during this Session, the symbolic inauguration was held of the new Board of the Inter-American Court composed of the President, Judge Ricardo C. Pérez Manrique (Uruguay) and the Vice President, Judge Humberto Antonio Sierra Porto (Colombia).

In addition, the new Judges, Nancy Hernández López, Verónica Gómez, Patricia Pérez Goldberg and Rodrigo Mudrovitsch, were sworn in.

Other participants in the ceremony included Judge Ferrer Mac-Gregor Poisot; the former President of the Inter-American Court, Elizabeth Odio Benito; the former Vice President, Patricio Pazmiño Freire, and the former Judge, Eugenio Raúl Zaffaroni.

²⁸ Case of the National Federation of Maritime and Port Workers (FEMAPOR) v. Peru, and Case of Pavez Pavez v. Chile.

²⁹ Judges whose mandates have ended continue to participate in the examination of cases that they were hearing before the end of their term of office and that are still pending.

³⁰ Case of Members and Activists of the Patriotic Union v. Colombia.

³¹ Case of the Agua Caliente Maya Q'eqchi' Indigenous Community v. Guatemala; Case of Flores Bedregal et al. v. Bolivia; Case of Benites Cabrera et al. v. Peru; Case of Casierra Quiñonez et al. v. Ecuador; Case of Moya Chacón et al. v. Costa Rica, and Case of Movilla Galarcio et al. v. Colombia.



The Court held its 147th Regular Session from March 16 to April 7, 2022. On this occasion it sat virtually from March 20 to April 7, 2022, and also carried out in-person activities from March 16 to 19, 2022.

During the Session, the Court issued thirteen orders on monitoring compliance with Judgment.³² It also examined different matters related to monitoring compliance with Judgment and Provisional Measures.

In addition, it held eight virtual public hearings in Contentious Cases,³³ one virtual procedure to receive evidence,³⁴ one in-person hearing on monitoring Provisional Measures,³⁵ two virtual private hearings on monitoring compliance with Judgment,³⁶ one virtual public hearing to receive further information on a request for Provisional Measures³⁷ and also dealt with various administrative matters.

During the Session a visit was made to the province of Darién, Panama, and a private hearing was held in Panama City on March 17 and 18, respectively. The hearing, by a delegation from the Court³⁸ and its Secretariat, was held to obtain information to monitor the implementation of the Provisional Measures ordered in the Case of Vélez Loor, and to assess the request made by Panama to lift them.

The Court's delegation also visited several relevant areas in the Darién, including the migrant reception centers. During this visit, the delegation was able to question and interview migrants of different nationalities. Then, on March 18, a private hearing was held so that the State, the representatives of the beneficiaries, the Commission and the Panamanian Ombudsman could refer to and supplement the information received during the previous day's visit.

32 Orders in: Case of Ximenes Lopes v. Brazil; Case of Poblete Vilches et al. v. Chile; Case of Carvajal Carvajal et al. v. Colombia; Case of Martínez Esquivia v. Colombia; Case of the Ituango Massacres v. Colombia; Case of Flor Freire v. Ecuador; Case of Rochac Hernández et al. v. El Salvador; Case of Cuscul Pivaral et al. v. Guatemala; Case of the Women Victims of Sexual Torture in Atenco v. Mexico; Case of Azul Rojas Marín et al. v. Peru; Case of Casa Nina v. Peru; Case of Moya Solís v. Peru, and Joint order for the Cases of Tarazona Arrieta et al., Canales Huapaya et al., Wong Ho Wing, Zegarra Marín, and Lagos del Campo v. Peru.

33 Case of Cortez Espinoza v. Ecuador; Case of Sales Pimenta v. Brazil; Case of Guevara Díaz v. Costa Rica; Case of Hendrix v. Guatemala; Case of Angulo Lozada v. Bolivia; Case of Mina Cuero v. Ecuador; Case of Habbal et al. v. Argentina, and Case of the San Juan Garifuna Community and its members v. Honduras.

34 Case of Leguizamón Zaván et al. v. Paraguay.

35 Case of Vélez Loor v. Panama.

36 Case of the Yakye Axa Indigenous Community v. Paraguay, and Case of the Human Rights Defender et al. v. Guatemala.

37 Cases of Barrios Altos and La Cantuta v. Peru.

38 The delegation consisted of the Court's President, Judge Ricardo C. Pérez Manrique, Vice President, Judge Humberto Antonio Sierra Porto, and Judge Nancy Hernández López. In addition, the Registrar, Pablo Saavedra Alessandri, the Deputy Registrar, Romina I. Sijniensky and the Adviser to the President, Bruno Rodríguez Revegino, formed part of the delegation.



The Court held its 63rd Special Session virtually from April 27 to 29, 2022. For this Special Session, the Court sat with its previous composition to continue hearing and deliberating on the request for an Advisory Opinion on differentiated approaches in relation to persons deprived of liberty.³⁹ The deliberation of the request for an Advisory Opinion continued during the 64th Special Session.



The Court held its 148th Regular Session, using the hybrid method, from May 9 to 25, 2022. It met in person from May 9 to 14 and virtually from May 15 to 25.

During the Session, the Court delivered two Judgments,⁴⁰ and issued six orders on cases⁴¹ in which it was monitoring compliance with Judgment. It held three public hearings on Contentious Cases,⁴² conducted two procedures in cases being examined by the Court,⁴³ held two private hearings on monitoring compliance with Judgment⁴⁴ and one private hearing on Provisional Measures and monitoring compliance.⁴⁵

In addition, on May 9, the Minister for Foreign Affairs of Chile, Antonia Urrejola, met with the full Court in order to discuss the human rights challenges in the region.

On May 10, 2022, the Inter-American Court of Human Rights signed a cooperation agreement with the Panamanian Lawyers' Professional Association.

On May 11, 2022, the Court received a delegation of Judges from the Superior Labor Court of Brazil and signed an institutional cooperation agreement with the National Academy for Training Labor Judges.

39 The composition of the Court for the Special Session was as follows: Judge Elizabeth Odio Benito, President (Costa Rica); Judge Patricio Pazmiño Freire, Vice President (Ecuador), Judge Humberto Antonio Sierra Porto (Colombia), Judge Eduardo Ferrer MacGregor Poisot, (Mexico), Judge Eugenio Raúl Zaffaroni (Argentina) and Judge Ricardo C. Pérez Manrique (Uruguay). Judge Eduardo Vio Grossi (Chile) was unable to participate for reasons beyond his control.

40 Case of Casierra Quiñonez et al. v. Ecuador, and Case of Moya Chacón et al. v. Costa Rica.

41 Case of Jenkins v. Argentina; Case of Omeara Carrascal et al. v. Colombia; Case of the La Rochela Massacre v. Colombia; Case of Martínez Coronado v. Guatemala; Case of Pacheco León et al. v. Honduras, and Case of V.R.P., V.P.C. et al. v. Nicaragua.

42 Case of Nissen Pessolani v. Paraguay; Case of Deras García et al. v. Honduras, and Case of the Members of the José Alvear Restrepo Lawyers' Collective (CAJAR) v. Colombia.

43 Private procedure in the Case of the Agua Caliente Maya Q'eqchi' Indigenous Community v. Guatemala, and public procedure in the Case of Britéz Arce et al. v. Argentina.

44 Case of Bámaca Velásquez v. Guatemala, and Case of Pacheco León et al. v. Honduras.

45 Provisional Measures and monitoring compliance with the obligation to investigate in the Cases of Valenzuela Ávila and Ruiz Fuentes v. Guatemala.



64th Special Session

On May 30, 2022, the Court held its 64th Special Session virtually with its previous composition. During the Session, it continued deliberating and then adopted the Advisory Opinion on Differentiated Approaches with respect to Certain Groups Deprived of Liberty.⁴⁶



149 Período Ordinario de Sesiones

The Court held its 149th Regular Session, using the hybrid method, from June 13 to July 1, 2022. From June 13 to 18 and from June 26 to July 1 it sat virtually, while it met in person from June 19 to 25, 2022.

During the Session, the Court delivered three Judgments in Contentious Cases,⁴⁷ and began to deliberate on the Case of Flores Bedregal et al. v. Bolivia. It also adopted four orders on monitoring compliance with Judgment,⁴⁸ and issued two orders on requests for Provisional Measures.⁴⁹ In addition, it held five public hearings on Contentious Cases,⁵⁰ four of which were held in person and one virtually. The Court also examined various matters related to monitoring compliance with Judgment and Provisional Measures, and dealt with several administrative matters.

46 The composition of the Court for the Special Session was as follows: Judge Elizabeth Odio Benito, President (Costa Rica); Judge Patricio Pazmiño Freire, Vice President (Ecuador), Judge Humberto Antonio Sierra Porto (Colombia), Judge Eduardo Ferrer MacGregor Poisot, (Mexico), Judge Eugenio Raúl Zaffaroni (Argentina) and Judge Ricardo C. Pérez Manrique (Uruguay). Judge Eduardo Vio Grossi (Chile) was unable to participate for reasons beyond his control.

47 Case of Guevara Díaz v. Costa Rica; Case of Sales Pimenta v. Brazil, and Case of Movilla Galarcio et al. v. Colombia.

48 Case of Urrutia Laubreaux v. Chile; Case of Valenzuela Ávila v. Guatemala (on the measures ordered in operative paragraphs 13, 14 and 15 of the Judgment); Case of Radilla Pacheco v. Mexico (on the measure ordered in operative paragraph 11 of the Judgment), and Case of the Yakye Axa Indigenous Community v. Paraguay.

49 Matter of the Members of the Yanomami, Ye'kwana and Munduruku Indigenous Peoples with regard to Brazil, and Case of J. v. Peru.

50 Case of Baraona Bray v. Chile; Case of Valencia Campos et al. v. Bolivia; Case of Tzompaxtle Tecpile et al. v. Mexico; Case of Tavares Pereira et al. v. Brazil, and Case of Aroca Palma et al. v. Ecuador.



The Court held its 65th Special Session virtually from July 25 to 27, 2022. During the Session, the Court sat with its previous composition,⁵¹ and continued examining and deliberating on a Contentious Case.⁵² It also issued six interpretation Judgments.⁵³



The Court held its 150th Regular Session in Brasilia, Brazil, from August 22 to 27, 2022. The Session was held as a result of an invitation by the Brazilian Government and was organized in conjunction with the Ministry of Foreign Affairs of Brazil and the Superior Court of Justice of Brazil.

Judicial activities

During the Session, the Court deliberated on the Judgment in one Contentious Case⁵⁴ and held four in-person public hearings on Contentious Cases.⁵⁵

Official and academic activities

On August 22, a ceremony was held to inaugurate the 150th Regular Session. Participants in the event included the President of the Inter-American Court of Human Rights, Judge Ricardo C. Pérez Manrique, the Brazilian Minister for Foreign Affairs, Ambassador Carlos Alberto Franco Franca, the President of the Superior Court of Justice, Humberto Soares Martins, the Brazilian Minister for Women, Family and Human Rights, Cristiane Britto, the Attorney General of the Union, Minister Bruno Bianco Leal, the Judge of the Inter-American Court, Rodrigo Mudrovitsch, and the Secretary General of Itamaraty, Ambassador

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- 51 The composition of the Court for the Special Session was as follows: Judge Elizabeth Odio Benito, President (Costa Rica); Judge Patricio Pazmiño Freire, Vice President (Ecuador), Judge Humberto Antonio Sierra Porto (Colombia), Judge Eduardo Ferrer MacGregor Poisot, (Mexico), Judge Eugenio Raúl Zaffaroni (Argentina) and Judge Ricardo C. Pérez Manrique (Uruguay). Judge Eduardo Vio Grossi (Chile) was unable to participate for reasons beyond his control.
- 52 Case of Members and Activists of the Patriotic Union v. Colombia.
- 53 Case of Cuya Lavy et al. v. Peru; Case of the Maya Kaqchikel Indigenous Peoples of Sumpango et al. v. Guatemala; Case of the Massacre of the village of Los Josefinos v. Guatemala; Case of the Former Employees of the Judiciary v. Guatemala; Case of the Teachers of Chañaral and other municipalities v. Chile, and Case of Manuela et al. v. El Salvador.
- 54 Case of Deras García et al. v. Honduras.
- 55 Case of the Tagaeri and Taromenane Indigenous Peoples v. Ecuador; Case of Olivera Fuentes v. Peru; Case of Álvarez v. Argentina, and Case of García Rodríguez et al. v. Mexico.

Fernando Simas Magalhães. The Inter-American Court's website in Portuguese: <https://www.corteidh.or.cr/index.cfm?lang=pt> was launched during the ceremony and the publication in Portuguese was announced of Case Law Bulletin of the Inter-American Court of Human Rights No. 36: Case Law with regard to Brazil.

In addition, on August 22, a public Seminar was held on "Control of conventionality and groups in a situation of vulnerability" in homage to the Court's former President and Judge, Antônio Augusto Cançado Trindade. A course was held on "Training Brazilian trainers on the Case Law of the Inter-American Court of Human Rights," organized by the Court, the National Judicial Council, the Unit to Monitor and Oversee the Decisions of the IACtHR, and the National Training Academy for Judges (ENFAM).

The Court also carried out other academic activities and signed three cooperation agreements with Brazilian institutions linked to the justice sector: the Public Defense Service of the Union, the Instituto Brasileiro de Ensino, Desenvolvimento e Pesquisa (IDP), and the Lawyers Professional Association.

Furthermore, meetings were held with State authorities, including: a meeting between the Inter-American Court and the actual President of the Superior Court of Justice, Justice Humberto Eustáquio Soares Martins, and the incoming President, Justice María Thereza de Assis; a visit by the President of the Inter-American Court, Judge Ricardo C. Pérez Manrique, and Judge Rodrigo Mudrovitsch to the seat of the Federal Supreme Court of Brazil and a meeting with Justice Gilmar Mendes; a press conference by the President of the Inter-American Court, Judge Ricardo C. Pérez Manrique, together with the Brazilian Minister for Foreign Affairs, Ambassador Carlos Alberto Franco Franca, and the participation of Judges of the Inter-American Court of Human Rights in the installation of the new President of the Superior Court of Justice, María Thereza de Assis (see Chapter 11).



The Court held its 151st Regular Session virtually from August 29 to September 9, 2022. During the Session, it delivered two Judgments in Contentious Cases,⁵⁶ and continued deliberating on one Judgment,⁵⁷ deliberations that continued during the 152nd Regular Session. It issued an order in a Contentious Cases,⁵⁸ two orders on requests for Provisional Measures,⁵⁹ and ten orders on monitoring compliance with Judgment.⁶⁰

56 Case of Mina Cuero v. Ecuador, and Case of Habbal et al. v. Argentina.

57 Case of Flores Bedregal et al. v. Bolivia.

58 Case of Arrom Suhurt et al. v. Paraguay.

59 Case of the Dismissed Workers of Petroperu et al. v. Peru, and Case of Gudiel Álvarez et al. ("Diario Militar") v. Guatemala.

60 Jointly for the Cases of Mendoza, Gorigoitia, and Valle Ambrosio et al. v. Argentina; Case of Valle Ambrosio et al. v. Argentina; Case of Ibsen Castro and Ibsen Peña v. Bolivia; Case of Isaza Uribe et al. v. Colombia; Case of Palamara Iribarne v. Chile; Case of Coc Max et al. (Xamán Massacre) v. Guatemala; Case of Girón et al. v. Guatemala; Case of Kawas Fernández v. Honduras; Case of Vicky Hernández et al. v. Honduras, and Case of García Cruz and Sánchez Silvestre v. Mexico.

The Court also held one public hearing on a Contentious Case,⁶¹ and one hearing on a request for Provisional Measures.⁶² In addition, it examined several matters relating to monitoring compliance with Judgment and Provisional Measures, and dealt with different administrative matters.



The Court held its 152nd Regular Session virtually from October 3 to 8, 2022. During the Session, it issued two Judgments on Contentious Cases⁶³ and resumed deliberation of one Judgment,⁶⁴ which it continued to analyze during the 153rd Session, issued two orders on monitoring compliance with Judgment,⁶⁵ and one order on Provisional Measures.⁶⁶

In addition, it held two hearing on monitoring compliance with Judgment.⁶⁷ The Court also examined several matters relating to monitoring compliance with Judgment and Provisional Measures, and dealt with different administrative matters.



The Court held its 153rd Regular Session in Montevideo, Maldonado and Colonia, Uruguay, from October 10 to 21, 2022, as a result of an invitation from the Government of Uruguay.

61 Case of Aguinaga Aillón v. Ecuador.

62 Joint hearing on request for Provisional Measures in the Cases of Bámaca Velásquez, Maritza Urrutia, Plan de Sánchez Massacre, Chitay Nech et al., Río Negro Massacres, and Gudiel Álvarez et al. ("Diario Militar") v. Guatemala.

63 Case of Benites Cabrera et al. v. Peru, and Case of Huacón Baidal et al. v. Ecuador.

64 Case of Flores Bedregal et al. v. Bolivia.

65 Case of Romero Ferris v. Argentina, and Case of Fernández Prieto and Tumbeiro v. Argentina.

66 45 persons deprived of liberty in 8 detention centers and their direct families with regard to Nicaragua.

67 Case of J. v. Peru; Cases of the Serrano Cruz Sisters; Contreras et al., and Rochac Hernández et al. v. El Salvador.

Judicial activities

During the Session, the Court deliberated on the Judgment in three Contentious Cases,⁶⁸ and began the process of deliberating on a Judgment that it continued to examine at its 154th Session. It also held three in-person public hearings on Contentious Cases⁶⁹ and an in-person private hearing on monitoring compliance with Judgment.⁷⁰

Official and academic activities

On October 11, 2022, a ceremony was held to inaugurate the 153rd Session in the Legislative Palace, seat of Parliament, in Montevideo, Uruguay. During the Ceremony, the Vice President of the Republic, Beatriz Argimón, the President of the Supreme Court of Justice, John Pérez, the Minister for Foreign Affairs, Francisco Bustillo, and the President of the Inter-American Court of Human Rights, Judge Ricardo C. Pérez Manrique addressed those present. In addition, three public Seminars were held:

- “The Inter-American Court of Human Rights, the Rule of Law and control of conventionality,” at the Legislative Palace in Montevideo on Tuesday, October 11.
- “Functioning and Case Law lines of the Inter-American Court of Human Rights,” in Punta del Este on Tuesday, October 18.
- “Impact of the Inter-American human rights protection system,” in Colonia on Thursday, October 20.

In addition, on Friday, October 21, 2022, the President of the Court, Judge Ricardo C. Pérez Manrique, gave a presentation to the Judges of the Uruguayan Judicial Training Academy on Case Law on the rights of migrant children. Judges from different parts of the country participated in the event.

During the Session, agreements were signed with the following institutions: the Latin American Federation of Journalists, the Parliamentary Commissioner for the Uruguayan Prison System, the Law Faculty of the Universidad de Mar del Plata, and the Argentine Prosecutors’ Association.

The Court held meetings with national and international authorities and entities, including: the President of the Oriental Republic of Uruguay, the President of the General Assembly and Vice President of the Republic, the President and justices of the Supreme Court of Justice, the National Human Rights Institution, the Departmental Government of Colonia, the Departmental Government of Maldonado, the Inter-American Children’s Institute, and several civil society organizations.

68 Case of Flores Bedregal et al. v. Bolivia; Case of Valencia Campos et al. v. Bolivia, and Case of Cortez Espinoza v. Ecuador.

69 Case of the La Oroya Community v. Peru; Case of Active Memory Civil Association v. Argentina, and Case of María et al. v. Argentina.

70 Case of Gelman v. Uruguay.



The Court held its 154th Regular Session, using the hybrid method, from November 7 to 25, 2022. From November 7 to 12 it sat in person, while it met virtually from November 13 to 25.

During the Session, the Court delivered nine Judgments on Contentious Cases,⁷¹ began the deliberation of a case that it will continue deliberating at a future Session,⁷² issued four orders on monitoring compliance with Judgment⁷³ and three orders on Provisional Measures.⁷⁴ It also delivered three interpretation Judgments⁷⁵ with its former composition.

In addition, the Court held two in person public hearings on Contentious Cases.⁷⁶ It also held five virtual hearings on monitoring compliance with Judgments⁷⁷ and one joint in-person public hearing to Monitoring Provisional Measures.⁷⁸

During the Session, a cooperation agreement was signed with the Latin American Federation of Judges, and a delegation from the Federation held a meeting with the full Inter-American Court.

C. The Inter-American Court's Sessions away from its seat

Starting in 2005, the Inter-American Court has held Sessions away from its seat in San José, Costa Rica. In order to hold these Sessions, the Court has traveled to Argentina (twice), Barbados, Bolivia, Brazil (3 times) Chile, Colombia (5 times), Dominican Republic, Ecuador (3 times), El Salvador (twice), Guatemala (twice), Honduras (twice), Mexico (3 times), Panama (twice), Paraguay (twice), Peru, and Uruguay (3 times).

This initiative by the Court allows it to achieve two objectives: on the one hand, to increase its jurisdictional activities and, on the other, to disseminate more effectively the work of the Court, in particular, and of the Inter-American System for the protection of human rights, in general. In 2022, two Sessions were held away from the Court, one in Brazil and the other in Uruguay.

71 Case of Tzompaxtle Tecpile et al. v. Mexico; Case of Aroca Palma et al. v. Ecuador; Case of Leguizamón Zaván et al. v. Paraguay; Case of Bissoon et al. v. Trinidad and Tobago; Case of Dial et al. v. Trinidad and Tobago; Case of Brítez Arce et al. v. Argentina; Case of Baraona Bray v. Chile; Case of Angulo Losada v. Bolivia, and Case of Nissen Pessolani v. Paraguay.

72 Case of Hendrix v. Guatemala.

73 Case of the Teachers of Chañaral and other municipalities v. Chile; Case of Carranza Alarcón v. Ecuador; Case of Ruiz Fuentes et al. v. Guatemala, and Case of Quispialaya Vilcapoma v. Peru.

74 Cases of Bámaca Velásquez, Maritza Urrutia, Plan de Sánchez Massacre, Chitay Nech et al., Río Negro Massacres, and Gudiel Álvarez et al. ("Diario Militar") v. Guatemala; Matter of Juan Sebastián Chamorro and another 45 persons deprived of their liberty in 8 detention centers with regard to Nicaragua, and Case of García and family members v. Guatemala.

75 Case of Maidanik et al. v. Uruguay, Case of the Julien Grisonas Family v. Argentina, and Case of the National Federation of Maritime and Port Workers (FEMAPOR) v. Peru.

76 Case of Tabares Toro v. Colombia, and Case of Scot Cochran v. Costa Rica.

77 Case of Torres Millacura et al. v. Argentina; Case of Bulacio v. Argentina; Case of Mendoza et al. v. Argentina; Case of Molina Theissen v. Guatemala, and Case of Tibi v. Ecuador.

78 Matter of 45 persons deprived of their liberty in 8 detention centers with regard to Nicaragua, and Matter of Juan Sebastián Chamorro et al. with regard to Nicaragua.

SESSIONS OF THE INTER-AMERICAN COURT AWAY FROM ITS SEAT 2005-2022





Contentious Function



IV. Contentious Function

A. Cases submitted to the Court

During 2022, 24 new Contentious Cases were submitted to the Court's consideration:

1. Case of Beatriz et al. v. El Salvador

On January 5, 2022, the Inter-American Commission submitted this case to the Court. It relates to the alleged international responsibility of El Salvador for the alleged violations of the rights of Beatriz and her family caused by the absolute ban on voluntary pregnancy terminations in El Salvador. Beatriz suffered from systemic lupus erythematosus, lupus nephritis and rheumatoid arthritis and, when she became pregnant, the fetus was found to be anencephalic, so it could not survive outside the womb and, if the pregnancy continued, the mother's life was at risk.

As a result of the risk faced by Beatriz, the IACHR and the Inter-American Court granted Precautionary Measures and Provisional Measures, respectively. On June 3, 2012, Beatriz went into labor and had to undergo a C-section. It is alleged that the victim was prevented from having access to an early, timely and legal termination, since the situation endangered her life, health and personal integrity.

2. Quilombolas Communities of Alcântara v. Brazil

On January 5, 2022, the Inter-American Commission submitted this case to the Court. It relates to the alleged international responsibility of Brazil owing to the impact on the collective property of 152 communities caused by the failure to issue title deeds for their lands and by the alleged installation of an aerospace facility without the required prior consultation and consent, by the expropriation of their lands and territories in 1980, and by the alleged lack of judicial remedies to redress this situation. In addition, the failure to issue title deeds for the communities located in Agrovillas and the lack of judicial remedies to redress that situation.

3. Case of Córdoba et al. v. Paraguay

On January 7, 2022, the Inter-American Commission submitted this case to the Court. It relates to the alleged international responsibility of the Paraguayan State for the violation of the personal integrity, judicial guarantees, rights of the family, and best interests of the child, in the context of a process of international restitution, to the detriment of Arnaldo Javier Córdoba and the child identified as D. In 2006, the child was taken to Paraguay illegally by his mother without the father's consent. The latter submitted a request for international restitution, which was approved by the Supreme Court of Paraguay in 2006. Following the restitution hearing, the mother disappeared with the child and was not found until 2015. A Precautionary Measures on custody was issued in favor of the maternal aunt, and a regime of gradual rapprochement between father and son was ordered. The Courts adopted supportive measures and psychological assistance to reunite father and son, and a board of psychologists determined the viability of the restitution.

Finally, in March 2017, an order was issued that the child should remain in Paraguay and the matter was then heard by the Supreme Court in May 2019.

4. Case of Aguirre Magaña v. El Salvador

On January 12, 2022, the Inter-American Commission submitted this case to the Court. It relates to the alleged international responsibility of the State due to the lack of due diligence in the criminal investigation into serious injuries suffered by Miguel Ángel Aguirre Magaña that caused a disability. On November 13, 1993, a device exploded in the car in which the alleged victim was traveling in the performance of his duties as a judicial official.

5. Case of González Méndez v. Mexico

On January 22, 2022, the Inter-American Commission submitted this case to the Court. It relates to the alleged failure to investigate, prosecute and punish the disappearance of Antonio González Méndez. The alleged victim was last seen on January 18, 1999. It is alleged that this occurred in a context of violence in the northern part of the state of Chiapas, where paramilitary groups, including the Paz and Justicia group supposedly acted under the auspices of, and tolerated by, the State, committing acts of violence including executions and disappearances. This violence specifically targeted the indigenous population that supported the Zapatista National Liberation Army (EZLN) and the political opposition.

6. Case of Huilcaman Pailana et al. v. Chile

On January 27, 2022, the Inter-American Commission submitted this case to the Court. It relates to a series of alleged violations of due process during criminal proceedings against 140 members of the Mapuche people in the context of different protests that took place in 1992 on the occasion of the fifth centenary of the Spanish conquest of the Americas.

7. Case of Galetovic Sapunar v. Chile

On February 15, 2022, the Inter-American Commission submitted this case to the Court. It relates to the alleged international responsibility of the State for the lack of access to an effective judicial remedy to obtain reparation for the confiscation of a radio station during the dictatorship, to the detriment of Mario Galetovic Sapunar, Daniel Ruiz Oyarzo, Carlos González Jaksic, Oscar Santiago Mayorga Paredes, Hugo René Formantel Díaz and Néstor Edmundo Navarro Alvarado. On September 11, 1973, the day of the military coup in Chile, when the station had finished broadcasting President Salvador Allende's address prior to his death, forces attached to the Ministry of Defense took possession of the station's installations.

8. Case of Chirinos Salamanca et al. v. Venezuela

On February 16, 2022, the Inter-American Commission submitted this case to the Court. It relates to the alleged international responsibility of the State for the human rights violations of 14 police officers of the Chacao Municipal Police in the context of the deprivation of their liberty. According to the alleged facts, the officers were arrested in relation to the murder of a journalist and then subjected to torture to obtain information or confessions. It is alleged that, even though orders for their release had been issued, the officers remained deprived of liberty and even went on hunger strike as a means of protest.

9. Case of Carrión et al. v. Nicaragua

On February 22, 2022, the Inter-American Commission submitted this case to the Court. It relates to the alleged international responsibility of the State for the lack of due diligence in the criminal investigation into the death of Dina Alexandra Carrión, and also for failing to ensure the relationship and connection between Mrs. Carrión's son and his maternal family in her absence. Dina Carrión was in the middle of divorce proceedings and had custody of her son when the child's father promised to return him to her on March 31, 2010, but did not do so. She was then found dead with a bullet wound to the chest. In June 2010, it was found that the cause of death was suicide and the case was closed. However, the prosecution subsequently rescinded that decision, and ordered that the investigation be completed to determine whether her death was due to murder or parricide.

10. Case of Hidalgo et al. v. Ecuador

On March 30, 2022, the Inter-American Commission submitted this case to the Court. It relates to the alleged international responsibility of the State for the alleged torture and extrajudicial execution of Gustavo Washington Hidalgo, as well as for the lack of due diligence in the investigation of the facts. Gustavo Washington Hidalgo died in the State's custody on December 8, 1992, following his arrest during a party. It is alleged that the investigation was unsatisfactory and that the State failed to comply with its obligation of due diligence within a reasonable time. The police officers involved were never called on to testify and no measures were taken between 1993 and 2000.

11. Case of Leite de Souza et al. v. Brazil

On April 22, 2022, the Inter-American Commission submitted this case to the Court. It relates to the alleged international responsibility of Brazil for the alleged forced disappearance and acts of sexual violence against 11 people in 1990 in Brazil. The victims were abducted and murdered after having been subjected to sexual violence by a group of police officers and soldiers. The police investigation opened in 1990 was closed in 2010 without criminal proceedings having been filed. The investigation was reopened in 2011 in response to a petition lodged before the Inter-American Commission. In addition, two women related to the victims, Edméa da Silva Euzébio and Sheila da Conceição, were murdered in 1993, after testifying in court that police officers had taken part in the disappearances.

12. Case of María et al. v. Argentina

On April 25, 2022, the Inter-American Commission submitted this case to the Court. It relates to the alleged international responsibility of the Argentina State for the violation of various rights recognized in the American Convention on Human Rights committed in the administrative and judicial process of granting custody and adoption of the child, "Mariano" to the detriment of the child himself, his mother, "María" who was 13 years of age when her son was born, and "María's" mother. It is alleged that the baby's mother and grandmother, who were victims of sexual abuse and violence, did not receive the guidance and support they needed.

13. Case of Capriles v. Venezuela

On April 28, 2022, the Inter-American Commission submitted this case to the Court. It relates to the alleged international responsibility of the State for the violation of the political rights, and rights to freedom of expression, the principle of legality, and judicial guarantees and protection to the detriment of Henrique

Capriles in the context of his participation in politics, as a presidential candidate in the elections of April 14, 2013. It is alleged that significant obstacles existed to the exercise of political rights in Venezuela and that the State failed to guarantee the independence of the National Electoral Council (CNE) sufficiently.

14. Case of Revilla Soto v. Venezuela

On May 9, 2022, the Inter-American Commission submitted this case to the Court. It relates to the alleged international responsibility of the State for the alleged violation of several rights of the Convention during the detention and criminal proceedings to which retired Army Major Milton Gerardo Revilla Soto was subjected. Mr. Revilla allegedly reported links between the FARC and members of the Venezuelan intelligence system. In 2010, he was arrested at the airport by the Directorate General of Military Counterintelligence and brought before a military court. He was accused of military offenses, spying and treason, and placed in pre-trial detention. In 2012, he was sentenced to 6 years and 4 months' imprisonment and disqualification from standing for political office. It is alleged that he was prevented from filing an appeal and the remedies seeking annulment were also rejected. He was finally released in 2016 having served his sentence.

15. Case of Cuéllar Sandoval et al. v. El Salvador

On May 14, 2022, the Inter-American Commission submitted this case to the Court. It relates to the alleged international responsibility of the Salvadoran State for the alleged forced disappearance, in July 1982, of three people, as well as the alleged lack of due diligence in the investigation and the impunity of the facts. Patricia Cuéllar was employed as a secretary in the Christian Legal Aid Office. On July 28, 1982, Ms. Cuéllar, her father, Mauricio Cuéllar Cuéllar, and their domestic worker, Julia Orbelina Pérez, were violently removed from their home.

16. Case of Collen Leite et al. v. Brazil

On May 17, 2022, the Inter-American Commission submitted this case to the Court. It relates to the alleged international responsibility of Brazil for the alleged failure to investigate and punish those responsible for the supposed arbitrary detention and torture of Eduardo Collen Leite and Denise Peres Crispim, in the context of the civil and military dictatorship in Brazil from 1964 to 1985. The case also relates to the alleged extrajudicial execution of Mr. Collen Leite, as well as the violations committed against his daughter, Eduarda Crispim Leite, and his wife, Denise Peres Crispim, and the alleged lack of integral reparation.

17. Case of Lares Rángel et al. v. Venezuela

On July 6, 2022, the Inter-American Commission submitted this case to the Court. It relates to the presumed persecution and harassment of the mayor of the municipality of Campo Elías in Mérida, Omar Adolfo de Jesús Lares Sánchez, and the violation of his political rights and his freedom of movement. The supposed forced disappearance, unlawful deprivation of liberty and torture of his son, Juan Pedro Lares Rángel, is also alleged, as well as the violation of the rights to judicial guarantees and judicial protection of his family. In July 2017, officials of the Bolivarian National Intelligence Service (SEBIN) allegedly surrounded the home of the Lares Rángel family and arrested Juan Pedro, without a court order. His mother reported the facts and filed an application for habeas corpus and a complaint before the Prosecutor General. Juan Pedro was released in June 2018. After a warrant had been issued for the arrest of Omar Lares, he fled to Colombia and requested asylum. Juan Pedro and his family also moved to Colombia.

18. Case of Almir Muniz da Silva v. Brazil

On August 29, 2022, the Inter-American Commission submitted this case to the Court. It relates to the alleged international responsibility of the Brazilian State for the disappearance of Almir Muniz da Silva, a rural worker and defender of the rights of rural workers in the state of Paraíba, and to the situation of impunity of the facts. Almir's disappearance occurred on the morning of June 29, 2002, after four shots had been heard coming from a farm. The family filed a complaint with the police station, but the authorities allegedly failed to take any steps to find Almir and to punish those responsible. It is alleged that the situation of impunity remains to date.

19. Case of Camejo Blanco v. Venezuela

On September 1, 2022, the Inter-American Commission submitted this case to the Court. It relates to the alleged international responsibility of the Venezuelan State for a series of violations of the human rights of the victim in the context of his deprivation of liberty and the criminal proceedings against him. In January 2011, the prosecution requested that he be banned from leaving the country in relation to an investigation into financial offenses. Mr. Camejo Blanco was arrested at the airport; however, a judge subsequently declared that his arrest was unlawful, but ordered his pre-trial detention. His defense counsel filed an appeal requiring his release, but the application for habeas corpus was declared inadmissible. The case was returned to the original court without processing the briefs filed by the defense.

20. Case of Pérez Lucas et al. v. Guatemala

On September 26, 2022, the Inter-American Commission submitted this case to the Court. It relates to the alleged international responsibility of the Guatemalan State for the forced disappearance of four people (Agapito Pérez Lucas, Nicolás Mateo, Macario Pú Chivalán and Luis Ruiz Luis) in 1989. It is alleged that the facts occurred in the context of the armed conflict and human rights violations in Guatemala. The alleged victims were active members of the Council of Runujel Junam Ethnic Communities and worked in defense of the human rights of Quiché communities. They were deprived of their liberty by armed individuals dressed as members of the Guatemalan military forces and, since then, their whereabouts are unknown.

21. Case of Ubaté et al. v. Colombia

On October 26, 2022, the Inter-American Commission submitted this case to the Court. It relates to the alleged international responsibility of the Colombian State for the forced disappearance of Jhon Ricardo Ubaté and Gloria Bogotá in the context of a police operation conducted by the Police Anti-Extortion and Kidnapping Unit (UNASE) in 1995, as well as the subsequent impunity of those facts. The alleged victims were former members of the Peoples' Liberation Army, demobilized in 1991. Ubaté also worked in the area of human rights and had reported paramilitary violence. In 1995, they were kidnapped during a telephone call, and the police lifted the roadblock when they saw that the vehicle they were in belonged to the Anti-Extortion and Kidnapping Unit.

22. Case of Reyes Mantilla et al. v. Ecuador

On November 23, 2022, the Inter-American Commission submitted this case to the Court. It relates to the alleged international responsibility of the State for the unlawful and arbitrary detention of Walter Ernesto Reyes Mantilla, Vicente Hipólito Arce Ronquillo and José Frank Serrano Barrera in 1995 and 1996,

the alleged unreasonableness of the length of the pre-trial detention, threats and attacks during their detention, as well as the lack of judicial guarantees in the criminal proceedings filed against them.

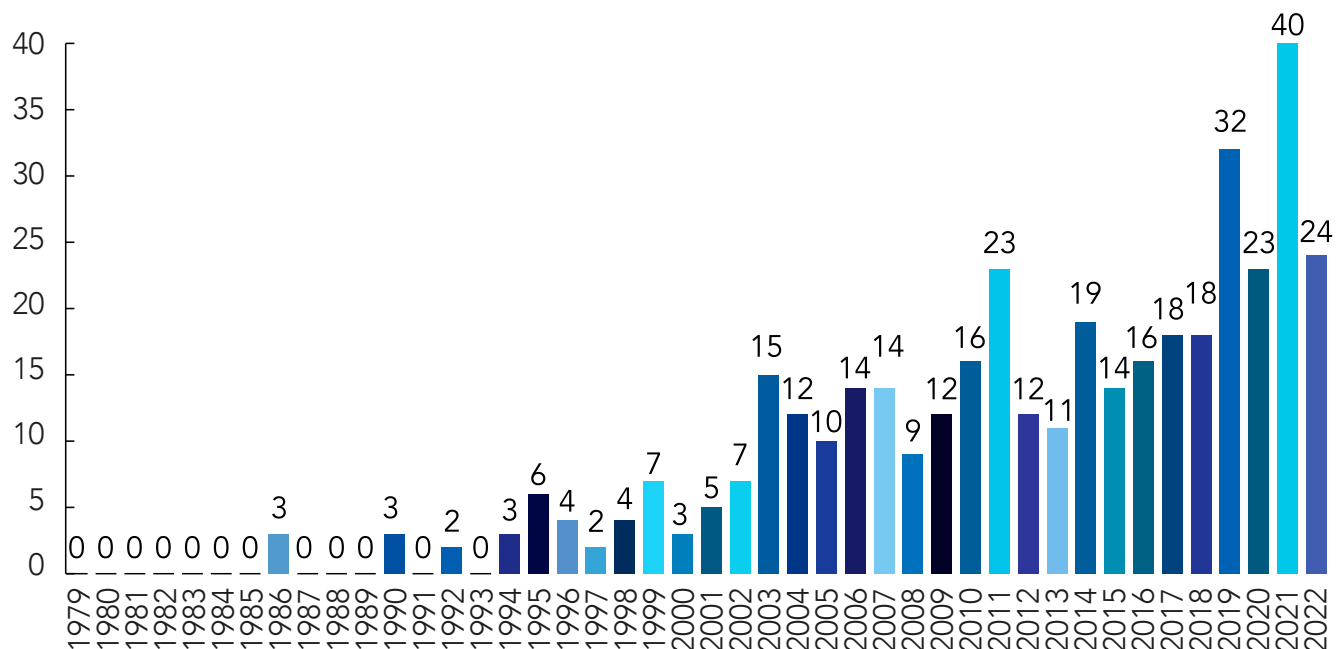
23. Case of Hernández Norambuena v. Brazil

On November 30, 2022, the Inter-American Commission submitted this case to the Court. It relates to the alleged international responsibility of the Brazilian State for the circumstances related to the detention conditions of Mauricio Hernández Norambuena, a Chilean national, who was detained within the state prison system of São Paulo and, subsequently, within the federal prison system.

24. Case of Rodríguez Pighi v. Peru

On December 6, 2022, the Inter-American Commission submitted this case to the Court. It relates to the alleged international responsibility of the Republic of Peru for the unlawful and arbitrary detention, torture and subsequent extrajudicial execution of Freddy Carlos Alberto Rodríguez Pighi by police officers.

SUBMISSION OF CONTENTIOUS CASES 1979-2022



At December 31, 2022, 63 cases were pending a decision by the Court:

#	Name of the Case	State	Date submitted
1	Willer et al.	Haiti	19-05-2020
2	Members of the José Alvear Restrepo Lawyers' Collective	Colombia	08-07-2020
3	Agua Caliente Maya Q'eqchi Indigenous Community	Guatemala	07-08-2020
4	San Juan Garifuna Community and its members	Honduras	12-08-2020
5	Tagaeri and Taromenane Indigenous Peoples	Ecuador	30-09-2020
6	U'wa Indigenous People	Colombia	21-10-2020
7	Members of the United Workers' Union of Ecasa – SUTECASA	Peru	16-11-2020
8	Hendrix	Guatemala	25-11-2020
9	Tavares Pereira et al.	Brazil	08-02-2021
10	Rodríguez Pacheco et al.	Venezuela	22-03-2021
11	Active Memory Civil Association (victims and family members of the victims of the terrorist attack of July 18, 1994, on the headquarters of the Israeli-Argentine Mutual Association)	Argentina	25-03-2021
12	Álvarez	Argentina	27-03-2021
13	García Rodríguez et al.	Mexico	06-05-2021
14	Cajahuanca Vásquez	Peru	12-05-2021
15	Aguinaga Aillón	Ecuador	20-05-2021
16	Yangali Iparraguirre	Peru	23-05-2021
17	Tabares Toro	Colombia	25-05-2021
18	Airton Honorato et al.	Brazil	28-05-2021
19	Olivera Fuentes	Peru	04-06-2021
20	Gadea Mantilla	Nicaragua	05-06-2021
21	Scot Cochran	Costa Rica	06-05-2021
22	Poggioli Pérez	Venezuela	18-06-2021
23	Viteri Ungaretti et al.	Ecuador	05-07-2021

#	Name of the Case	State	Date submitted
24	Núñez Naranjo et al.	Ecuador	10-07-2021
25	Dos Santos Nascimento et al.	Brazil	29-07-2021
26	Bendezú Tuncar	Peru	20-08-2021
27	Guzmán Medina et al.	Colombia	05-09-2021
28	Meza	Ecuador	09-09-2021
29	Aguas Acosta et al.	Ecuador	15-09-2021
30	Boleso	Argentina	21-09-2021
31	Arboleda Gómez	Colombia	30-09-2021
32	La Oroya Community	Peru	30-09-2021
33	Vega González et al.	Chile	22-11-2021
34	López Sosa	Paraguay	22-11-2021
35	Gutiérrez Navas et al.	Honduras	25-11-2021
36	Da Silva et al.	Brazil	26-11-2021
37	Rama and Kriol Peoples, Monkey Point Community and Black Creole Indigenous Community of Bluefields and their members	Nicaragua	26-11-2021
38	Adolescents held in short- and long-term facilities run by the National Children's Service (SENAME)	Chile	17-12-2021
39	Beatriz et al.	El Salvador	05-01-2022
40	Quilombolas Communities of Alcântara	Brazil	05-01-2022
41	Córdoba et al.	Paraguay	07-01-2022
42	Aguirre Magaña	El Salvador	12-01-2022
43	González Méndez	Mexico	22-02-2022
44	Huilcaman Pailana et al.	Chile	27-02-2022
45	Galetovic Sapunar	Chile	15-02-2022
46	Chirinos Salamanca	Venezuela	16-02-2022
47	Carrión et al.	Nicaragua	22-02-2022

#	Name of the Case	State	Date submitted
48	Hidalgo et al.	Ecuador	30-03-2022
49	Leite de Souza et al.	Brazil	22-04-2022
50	María et al.	Argentina	25-04-2022
51	Capriles	Venezuela	28-04-2022
52	Revilla Soto	Venezuela	09-05-2022
53	Cuéllar Sandoval et al.	El Salvador	14-05-2022
54	Collen Leite et al.	Brazil	17-05-2022
55	Lares Rangel et al.	Venezuela	06-07-2022
56	Muniz da Silva	Brazil	29-08-2022
57	Camejo Blanco	Venezuela	01-09-2022
58	Pérez Lucas et al.	Guatemala	26-09-2022
59	Ubaté et al.	Colombia	26-10-2022
60	Reyes Mantilla et al.	Ecuador	23-11-2022
61	Hernández Norambuena	Brazil	30-11-2022
62	Rodríguez Pighi	Peru	06-12-2022

B. Hearings

In 2022, the Court held 32 public hearings and conducted 3 evidentiary procedures in Contentious Cases. It received oral statements from 40 alleged victims, 16 witnesses, 49 expert witnesses and other sources of information,⁷⁹ for a total of 105 statements.

The hearings were transmitted on different social networks: [Facebook](#), [Twitter](#) (@CorteIDH for the account in Spanish and @IACourtHR for the account in English), [Flickr](#), [Instagram](#), [Vimeo](#), [YouTube](#), [LinkedIn](#) and [SoundCloud](#).

⁷⁹ In the Case of Gelman v. Uruguay, in application of Article 69(2) of its Rules of Procedure, the Court found it pertinent to request the National Human Rights Institute and Ombudsman's Office of Uruguay (INDDHH) to provide an oral report in the said hearing, other than the one provided by the State in its capacity as a party to the procedure of monitoring compliance.

C. Judgments

During 2022, The Court delivered **34** Judgments, of which **25** were Judgments on Preliminary Objections, Merits, Reparations and Costs, and **9** were interpretation Judgments.

All the Judgments can be found on the Court's website [here](#).

HEARINGS AND JUDGMENTS OF THE IDH COURT



HEARINGS

32

Public
hearings on
Contentious
Cases

3

Evidentiary
procedures

105 Oral statements,
divided by:

40 Presumed victims

16 Witnesses

49 Expert witnesses

JUDGMENTS

Judgments on Preliminary
Objections, Merits, Reparations
and Costs **25**

Interpretation Judgments **9**



34

Judgments



Judgments in Contentious Cases

1. Case of the National Federation of Maritime and Port Workers (FEMAPOR) v. Peru. Preliminary Objections, Merits, Reparations and Costs. Judgment of February 1, 2022

Summary: The Inter-American Commission submitted this case on July 26, 2019. It relates to a group of maritime and port workers organized in local unions, and affiliated nationally with the National Federation of Maritime and Port Workers, who, up until March 11, 1991, worked in rotation under the control and regulation of the Oversight Commission on Maritime Work (CCTM). On March 11, 1991, and as a result of a serious financial and economic crisis within the CCTM which prevented it from “continuing to fulfill the objectives and purposes for which it was created,” the workers were dismissed, the CCTM was dissolved and, to this end, a dissolution committee was established in charge of satisfying certain obligations, such as payment of the workers’ social benefits and entitlements.

Ruling: On February 1, 2022, the Inter-American Court of Human Rights delivered a judgment in which it declared the international responsibility of the State of Peru for the violation of the rights to judicial guarantees, judicial protection, work, and property, to the detriment of at least 4,090 maritime and port workers owing to the failure to comply with a judgment on amparo delivered by the Supreme Court of the Republic of Peru on February 12, 1992, which established the manner in which the additional increment on the remuneration of the said workers should be calculated.

The Judgment can be found [here](#) and the official summary [here](#).

2. Case of Pavez Pavez v. Chile. Merits, Reparations and Costs. Judgment of February 4, 2022

Summary: The Inter-American Commission submitted this case on September 11, 2019. It relates to the disqualification of Sandra Pavez Pavez from giving lessons on the Catholic religion because, on July 23, 2007, the “Cardenal Antonio Samoré” College was notified that the Vicariate for Education had revoked her certificate of aptitude. This occurred after the Vicariate had interviewed Sandra Pavez Pavez and, as a result of the rumors on her sexual orientation that were being spread, urged her to end her “homosexual life.” On July 25, 2007, the Vicariate wrote a letter to Sandra Pavez Pavez advising her of the decision to revoke her certificate of aptitude, and indicating that “every effort has been made not to reach this difficult decision, and it placed on record the spiritual and medical assistance offered to her that was rejected.”

Ruling: On February 4, 2022, the Inter-American Court of Human Rights delivered its judgment in which it declared the international responsibility of the State of Chile for the violation of the rights to equality and non-discrimination, personal liberty, privacy, and work, recognized in Articles 24, 1(1), 7, 11 and 26 of the American Convention on Human Rights, to the detriment of Sandra Pavez Pavez, who taught religious education in the Catholic public college in the municipality of San Bernardo in Chile. In particular, the Court concluded that the dismissal from her post as a teacher of the Catholic religion after her certificate of aptitude had been revoked by the Vicariate for Education of the Diocese of San Bernardo, a document that Decree 924 (1983) of the Ministry of Education requires teachers to have in order to work as Catholic religion teachers, constituted a difference in treatment based on sexual orientation that was discriminatory and that violated her right to personal liberty, privacy and work. Furthermore, it considered that the State

was responsible for the violation of the rights to judicial guarantees and judicial protection, recognized in Articles 8(1) and 25 of the American Convention because the domestic judicial authorities had not conducted an adequate control of conventionality with regard to the action of the “Cardenal Antonio Samoré” College and because Sandra Pavez Pavez lacked appropriate and effective remedies to contest the effects of the decision to revoke her certificate of aptitude to impart classes on the Catholic religion.

The Judgment can be found [here](#) and the official summary [here](#).

3. Case of Casierra Quiñonez et al. v. Ecuador. Preliminary objection, Merits, Reparations and Costs. Judgment of May 11, 2022

Summary: The Inter-American Commission submitted this case on June 19, 2020. It relates to the brothers, Sebastián Darlin, Luis Eduardo, Andrés Alejandro and Jonny Jacinto, last names Casierra Quiñonez, the sons of María Ingracia Quiñonez Bone and Cipriano Casierra Panezo, who carried out fishing activities and, owing to an incident in the context of an operation executed by marines to eliminate crime, Luis Eduardo Casierra Quiñonez died and his brothers, Andrés Alejandro and Sebastián Darlin, were injured. The judicial proceedings culminated when, on March 4, 2000, the military criminal judge, considering that all the procedures ordered at the investigation stage had been conducted, decided to forward the proceedings to the judge of the Third Naval Zone, who, in a decision of May 24, 2000, dismissed the proceedings against the accused and forward the case file to the Court of Military Justice for its advice. On June 21, 2001, that court confirmed the decision.

Ruling: On May 11, 2022, the Inter-American Court of Human Rights delivered its judgment in which it declared the international responsibility of the Republic of Ecuador for the violation of various right to the detriment of the Casierra Quiñonez brothers and their family members. The Court determined that the State was responsible for the death of Luis Eduardo Casierra Quiñonez and the injuries of his brothers, Andrés Alejandro and Sebastián Darlin Casierra Quiñonez, that occurred in the context of an operation to eliminate crime conducted by members of the Ecuadorian Navy and, therefore, declared the violation of the right to life and to personal integrity. The Court also concluded that Ecuador had violated the rights to judicial guarantees and judicial protection because the facts had been examined by the military criminal jurisdiction. Similarly, the Court determined the violation of the right to personal integrity of the following family members of Luis Eduardo Casierra Quiñonez: Andrés Alejandro Casierra Quiñonez, Sebastián Darlin Casierra Quiñonez, Jonny Jacinto Casierra Quiñonez, María Ingracia Quiñonez Bone, Cipriano Casierra Panezo and Shirley Lourdes Quiñonez Bone. Consequently, the Inter-American Court declared that Ecuador was internationally responsible for the violation of Articles 4(1), 5(1), 8(1) and 25(1) of the American Convention on Human Rights, in relation to Articles 1(1) 1 and 2, of this international instrument.

The Judgment can be found [here](#) and the official summary [here](#).

4. Case of Moya Chacón et al. v. Costa Rica. Preliminary Objections, Merits, Reparations and Costs. Judgment of May 23, 2022

Summary: The Inter-American Commission submitted this case on August 5, 2020. It relates to the imposition of a civil sentence for the publication of a newspaper article on December 17, 2005, reporting alleged irregularities in the control of liquor smuggling into Costa Rica in the area of the frontier with Panama, mentioning several police officials who were allegedly involved in such incidents. As a result of this publication, the trial court decided to admit a civil action for damages and, consequently, sentenced

Freddy Parrales Chaves and Ronald Moya Chacón, and also the Minister of Public Security, the La Nación newspaper and the State of Costa Rica, jointly and severally, to pay five million colones (approximately US\$9,600 at the date of the facts) for non-pecuniary damage and one million colones (approximately US\$1,900 at the date of the facts) for personal costs.

Ruling: On May 23, 2022, the Inter-American Court of Human Rights delivered a judgement in which it declared the international responsibility of the State of Costa Rica for the violation of the right to freedom of thought and expression to the detriment of the journalists, Ronald Moya Chacón and Freddy Parrales Chaves, as a result of the imposition of a civil sentence for the publication of a newspaper article on December 17, 2005, in which they reported alleged irregularities that had taken place in the control of liquor smuggling into Costa Rica in the area of the frontier with Panama, mentioning various police officials who were allegedly involved in those facts. In particular, the Court declared that the State of Costa Rica had violated Article 13(1) and (2) of the American Convention on Human Rights, in relation to Article 1 of this instrument.

The Judgment can be found [here](#) and the official summary [here](#).

5. Case of *Movilla Galarcio et al. v. Colombia. Merits, Reparations and Costs. Judgment of June 22, 2022*

Summary: The Inter-American Commission submitted this case on August 8, 2020. It relates to the forced disappearance of Pedro Julio Movilla Galarcio, which occurred on May 13, 1993, and for the violation of diverse human rights to his detriment and that of his family members. On May 13, 1993, Pedro Movilla left his house in Bogotá with his wife. After they parted, he went to leave his daughter, Jenny, at the entry to the Kennedy College at 8 a.m., promising to pick her up at 11 a.m. As of that moment, his whereabouts are unknown. This happened in a context in which the State applied the “national security doctrine,” identifying members of labor unions and leftist political parties based on the concept of the “internal enemy,” and the alleged justification of combating the threat of communism and subversion.

Ruling: On June 22, 2022, the Inter-American Court of Human Rights delivered a judgment in which it declared the international responsibility of the Republic of Colombia for the forced disappearance of Pedro Julio Movilla Galarcio, on May 13, 1993, as well as for the violation of diverse human rights to his detriment and that of his family, owing to the above and to the failure to investigate the disappearance. After examining the facts, arguments and evidence, the Court found that Colombia had violated: (a) Articles 3, 4(1), 5(1), 5(2), 7 and 16 of the American Convention on Human Rights, in relation to Articles 1(1) and 2 of this instrument and Article I(a) of the Inter-American Convention on Forced Disappearance of Persons, to the detriment of Pedro Julio Movilla Galarcio; (b) Articles 8(1) and 25(1) of the American Convention on Human Rights, in relation to its Article 1(1), as well as Article I(b) of the Inter-American Convention on Forced Disappearance of Persons, to the detriment of Pedro Julio Movilla Galarcio and his family members, and also the right to the truth to the detriment of the latter; (c) Articles 5(1) and (2), and 17, of the American Convention on Human Rights, in relation to its Article 1(1), to the detriment of the said family members, and (d) Article 19 of the American Convention on Human Rights, in relation to its Article 1(1), to the detriment of Mr. Movilla’s two sons and daughter.

The Judgment can be found [here](#) and the official summary [here](#).

6. Case of Guevara Díaz v. Costa Rica. Merits, Reparations and Costs. Judgment of June 22, 2022

Summary: The Inter-American Commission submitted this case on March 24, 2021. It relates to Luis Fernando Guevara Díaz, who has an intellectual disability. On June 4, 2001, Mr. Guevara was appointed, on an interim basis, as a miscellaneous worker in the Ministry of Finance. Subsequently, the Human Resources Unit of the Ministry of Finance organized competition 01-02 to fill the position permanently. Mr. Guevara took part in the competition and obtained the highest marks in the evaluation, but he was not selected for the post. Therefore, his appointment as an interim employee in the post of miscellaneous worker ended on June 15, 2003. In the appeals he filed, Mr. Guevara referred to two communications sent to officials of the Ministry of Finance to prove that he had not been selected for the post owing to his intellectual disability.

Ruling: On June 22, 2022, the Inter-American Court of Human Rights delivered a judgment in which it declared the international responsibility of the State of Costa Rica for the violation of diverse rights to the detriment of Luis Fernando Guevara Díaz. In particular, the Court concluded that Mr. Guevara was not selected in a public competition to occupy the post of “Miscellaneous Worker 1” owing to his intellectual disability, which also led to the termination of his employment with the Ministry of Finance. Those facts, which the State acknowledged, constituted acts of discrimination in access to and permanence in employment and, therefore, a violation of the right to equality before the law, the prohibition of discrimination, and the right to work to the detriment of Mr. Guevara. In addition, the State also acknowledged its responsibility for the violation of the rights to judicial guarantees and judicial protection. Consequently, the Court concluded that the State was responsible for the violation of Articles 24, 26, 8(1) and 25 of the American Convention on Human Rights, in relation to Article 1(1) of this instrument.

The Judgment can be found [here](#) and the official summary [here](#).

7. Case of Sales Pimenta v. Brazil. Preliminary Objections, Merits, Reparations and Costs. Judgment of June 30, 2022

Summary: The Inter-American Commission submitted this case on December 4, 2020. It relates to Gabriel Sales Pimenta, who was 24 years of age at the time of his death. In 1980, he was employed as a lawyer of the Marabá Rural Workers Union (“STR”). He also represented the Pastoral Land Commission, through which he provided legal advice to rural workers; he founded the National Association of Lawyers of Agricultural Workers, and he played an active role in social movements in the region, and in other spheres. In the course of his work as the STR lawyer, he defended the rights of rural workers. On July 18, 1982, as a result of his work as a human rights defender, Gabriel Sales Pimenta was shot three times as he was leaving a bar with friends in the town of Marabá, in the southern part of Pará, and died instantaneously. Following his death, his family filed various judicial remedies, all of which were unsuccessful.

Ruling: On June 30, 2022, the Inter-American Court of Human Rights delivered its judgment in which it declared the international responsibility of the Federative Republic of Brazil for the violation of the rights to judicial guarantees, judicial protection and the right to the truth, contained in Articles 8(1) and 25 of the American Convention on Human Rights, in relation to the obligation to respect and to ensure rights established in Article 1(1) of this instrument, to the detriment of Geraldo Gomes Pimenta, Maria da Glória Sales Pimenta, Sérgio Sales Pimenta, Marcos Sales Pimenta, José Sales Pimenta, Rafael Sales Pimenta, André Sales Pimenta and Daniel Sales Pimenta. This was a result of the State’s serious errors in the investigation into the violent death of Gabriel Sales Pimenta which entailed non-compliance with the duty of enhanced due diligence to investigate crimes committed against human rights defenders, as well

as a flagrant violation of the guarantee of a reasonable time, and the situation of absolute impunity of this murder to date. The Court also declared the State responsible for the violation of the right to personal integrity, recognized in Article 5(1) of the American Convention, in relation to Article 1(1) of this instrument, to the detriment of the said victims.

The Judgment can be found [here](#) and the official summary [here](#).

8. Case of Deras García et al. v. Honduras. Merits, Reparations and Costs. Judgment of August 25, 2022

Summary: The Inter-American Commission submitted this case on August 20, 2020. It relates to Herminio Deras García, who was a teacher by profession, a political leader of the Communist Party of Honduras, and an adviser to various unions on the country's northern coast. Deras García was the victim of extrajudicial execution by members of the 3-16 Battalion as a result of his political and union activities. His execution was a deliberate act to silence his voice of opposition and to stop his political and union activism. Despite the criminal conviction of one member of the 3-16 Battalion, there was an excessive delay in the processing of the criminal proceedings, and the investigation was never expanded to consider others who had been accused. In addition, no investigation was conducted into the different acts perpetrated against the members of Mr. Deras García's family, such as persecutions, unlawful detention, ill-treatment and torture, the raiding of their homes and the destruction of their possessions.

Ruling: On August 25, 2022, the Inter-American Court of Human Rights delivered a judgment in which it declared the international responsibility of the Republic of Honduras for the violation of the rights to life, personal integrity, freedom of thought and expression, and political rights, contained in Articles 4(1), 5(1), 13(1), 16(1) and 23(1) of the American Convention on Human Rights, in relation to Articles 1(1) and 2 of this instrument, to the detriment of Herminio Deras García. The Court also declared the international responsibility of the State for the violation of the rights to personal integrity, personal liberty, judicial guarantees, the protection of honor and dignity and privacy, the protection of the family, the rights of the child, the rights to property and to judicial protection contained in Articles 5(1), 5(2), 7(1), 7(2), 7(3), 8(1), 11(1), 11(2), 17(1), 19, 21 and 25 of the American Convention, in relation to Article 1(1) of this instrument, to the detriment of 17 members of Mr. Deras García's family identified in the Judgment, some of whom were children at the time of the facts. Lastly, the Court considered that Honduras was internationally responsible for the violation of the right to freedom of movement and residence established in Article 22(1) of the American Convention on Human Rights, in relation to Article 1(1) of this instrument, to the detriment of a brother and sister of Mr. Deras García. This was as a result of the extrajudicial execution of Herminio Deras García, and also of the persecution, arbitrary arrests, torture, and forced exile, among other acts that violated human rights and that have been perpetrated against his family members over the past 30 years.

The Judgment can be found [here](#) and the official summary [here](#).

9. Case of Habbal et al. v. Argentina. Preliminary Objections and Merits. Judgment of August 31, 2022

Summary: The Inter-American Commission submitted this case on February 3, 2021. It relates to Raghda Habbal, who was born in 1964 in Damascus, Syria. On June 21, 1990, she traveled from Spain to Argentina with her three daughters. The same day, Mr. Al Kassard, in his capacity as Mrs. Habbal's

husband, submitted a request to the Argentina National Directorate for Population and Migration for his wife and daughters to reside permanently in the Argentine Republic. On July 4, 1990, in Resolution No. 241,547/90, the National Directorate for Population and Migration accepted Mrs. Habbal and her daughters as permanent residents of the country. On December 31, 1991, Mrs. Habbal filed a request with the Argentine Judiciary to become a citizen of the country and, on April 4, 1992, the federal judge of Mendoza decided to grant citizenship to Mrs. Habbal. On May 11, 1992, the National Director for Population and Migration issued Resolution No. 1088 in which he declared the “absolute nullity” of the citizenship granted to Mrs. Habbal and her daughters. On this basis, he declared that their presence on Argentine territory was illegal, and ordered their expulsion to their country of origin or provenance, and established precautionary detention. The detention and expulsion order was not executed, but continued in effect until June 1, 2020, when it was revoked. On October 27, 1994, the substitute federal judge delivered judgment also declaring that the act granting citizenship to Mrs. Habbal was null and void and cancelling her national identity document and any identity document that she had been granted as an Argentine citizen.

Ruling: On August 31, 2022, the Inter-American Court of Human Rights delivered a judgment in which it declared that the State was not internationally responsible for the violation of the rights to movement and residence, to nationality, of the child, to personal liberty, to the principle of legality, to equality before the law, and to judicial guarantees and judicial protection contained in Articles 7, 8, 9, 19, 20, 22, 24 and 25 of the American Convention on Human Rights, in relation to Article 1(1) of this instrument, to the detriment of Raghda Habbal, her three daughters, Monnawar Al Kassar, Hifaa Al Kassar, and Natasha Al Kassar, and her son, Mohamed René Al Kassar.

The Judgment can be found [here](#) and the official summary [here](#).

10. Case of Mina Cuero v. Ecuador. Preliminary Objection, Merits, Reparations and Costs. Judgment of September 7, 2022

Summary: The Inter-American Commission submitted this case on October 26, 2020. It relates to Víctor Henry Mina Cuero, who was a member of the National Police of Ecuador from April 1, 1993, to October 25, 2000. On September 15, 2000, agents of the Esmeraldas Provincial Command No. 14 of the National Police issued a police report in which they informed their superiors of an incident in which Mr. Mina Cuero was allegedly involved. According to the report, the police agents received a telephone call in which it was reported that Mr. Mina Cuero was mistreating his former partner both physically and verbally. When the agents arrived on the scene, Mr. Mina Cuero insulted them, calling them “policías broncos.” On October 17, 2000, the Commander of the First District of the National Police decided to set up a disciplinary court to examine the facts attributed to Mr. Mina Cuero. On October 25, 2000, the disciplinary court held a hearing. The Court was not informed whether Mr. Mina Cuero had been notified of the decision to set up a disciplinary court. At the end of the said hearing, the disciplinary court issued its decision in which it ordered Mr. Mina Cuero’s dismissal and, to this end, in addition to concluding that he had committed a disciplinary offense, it applied certain aggravating circumstances, all contained in the Disciplinary Regulations of the National Police. Following the decision on his dismissal, Mr. Mina Cuero filed an application for amparo, an action on unconstitutionality, and an action for protection, all of which were rejected.

Ruling: On September 7, 2022, the Inter-American Court of Human Rights delivered its judgment in which it declared that the Republic of Ecuador was internationally responsible for the violation of various rights to the detriment of Víctor Henry Mina Cuero. The Court concluded that Ecuador had violated the right to judicial guarantees, political rights, the right to judicial protection and the right to

work to the detriment of Mr. Mina Cuero. Consequently, the Inter-American Court declared that Ecuador was internationally responsible for the violation of Articles 8(1), 8(2), 8(2)(b), 8(2)(c), 8(2)(h), 23(1)(c), 25(1) and 26 of the American Convention on Human Rights, in relation to Articles 1(1) and 2, of this instrument.

The Judgment can be found [here](#) and the official summary [here](#).

11. Case of Huacón Baidal et al. v. Ecuador. Judgment of October 4, 2022

Summary: The Inter-American Commission submitted this case on June 2, 2021. It relates to the extrajudicial execution of Walter Huacón Baidal and Mercedes Salazar Cueva. They were leaving a family reunion on the afternoon of March 31, 1997, when the former observed a traffic checkpoint and, realizing he had forgotten his driving licence and the documents of the car he was driving, he made a false turn to return home. As a result, two members of the Transit Commission and four police officers pursued them. The state agents then shot at Mr. Huacón and Ms. Salazar, killing them. Administrative and judicial actions were opened into these events. The criminal proceedings were processed before the police criminal jurisdiction and the case against five agents was dismissed. Charges were brought against the sixth agent, but he failed to appear in court, and the case was suspended. Finally the crime was declared to be subject to the statute of limitations on October 11, 2012.

Ruling: On October 4, 2022, the Inter-American Court of Human Rights delivered a judgment in which it endorsed a friendly settlement agreement between the Republic of Ecuador and the victims' representatives. Accordingly, the Court declared the international responsibility of the State for the violation of the right to life of Walter Gonzalo Huacón Baidal and Mercedes Eugenia Salazar Cueva, of their right to personal integrity and that of their family members, and of the rights to judicial guarantees and judicial protection of those family members, namely: Mary del Pilar Chancay Quimis, Wilson Eduardo Huacón Baidal, Karent Lisset Huacón Chancay, Walther Bryan Huacón Chancay, Wilson Fabián Huacón Salazar, Karla Fernanda Huacón Salazar, Kerlly Mercedes Huacón Salazar and William Huacón.

The Judgment can be found [here](#) and the official summary [here](#).

12. Case of Cortez Espinoza v. Ecuador. Preliminary Objections, Merits, Reparations and Costs. Judgment of October 18, 2022

Summary: The Inter-American Commission submitted this case on June 14, 2020. It relates to Gonzalo Orlando Cortez Espinoza, who was a member of the Ecuadorian Armed Forces from 1978 to 1994. On January 21, 1997, Mr. Cortez was arrested by order of the military judicial officials, even though he was then a civilian. He was arrested on three occasions after being accused of an allegedly unlawful act related to the theft of aircraft equipment. On September 2, 2009, the Third Criminal Court of Pichincha declared that the criminal case against Mr. Cortez was subject to the statute of limitations. This was confirmed on January 3, 2011, by the Provincial Court of Justice of Pichincha, and on January 17 that year the case was closed.

Ruling: On October 18, 2022, the Inter-American Court of Human Rights delivered a judgment in which it declared the international responsibility of the Republic of Ecuador for the violation of diverse rights to the detriment of Gonzalo Orlando Cortez Espinoza. The Court concluded that Ecuador had violated the rights to judicial guarantees, personal liberty and personal integrity. Consequently, the Inter-American Court declared that the State was internationally responsible for the violation of Articles 5(1), 5(2), 7(1), 7(2), 7(3), 7(4), 7(5), 7(6), 8(1) and 8(2) of the American Convention on Human Rights, in relation to Articles 1(1) and 2, of this international instrument, to the detriment of Gonzalo Orlando Cortez Espinoza.

The Judgment can be found [here](#) and the official summary [here](#).

13. Case of Benites Cabrera et al. v. Peru. Preliminary Objections, Merits, Reparations and Costs. Judgment of October 4, 2022

Summary: The Inter-American Commission submitted this case on July 17, 2020. It relates to the temporary dissolution of the Congress of the Republic by the President of Peru in April 1993, following which personnel-related actions were ordered aimed at evaluating employees and selecting a new team. Thus, two administrative decisions were issued that dismissed a group of congressional employees, including the 184 victims in this case, and norms were adopted that prohibited the dismissed employees from filing an application for amparo to contest their dismissal.

Ruling: On October 4, 2022, the Inter-American Court of Human Rights delivered a judgment in which it declared the Republic of Peru responsible for the violation of the rights contained in Articles 8(1), 23(1)(c), 25(1) and 26 of the American Convention on Human Rights, in relation to the obligation to respect and to ensure rights established in Article 1(1) thereof, to the detriment of 184 employees dismissed from the Congress of the Republic in 1992.

The Judgment can be found [here](#) and the official summary [here](#).

14. Case of Aroca Palma et al. v. Ecuador. Preliminary Objection, Merits, Reparations and Costs. Judgment of November 8, 2022

Summary: The Inter-American Commission submitted this case on November 6, 2020. It relates to Joffre Antonio Aroca Palma, who, on February 27, 2001, at approximately 3.30 a.m. was outside his house in Guayaquil, Ecuador, with some friends. On that occasion, he was arrested by police officers, two of whom were members of the National Police and the other members of the Metropolitan Police; they were accompanied by a driver. After Mr. Aroca Palma had been placed in the police vehicle, the National Police sub-lieutenant, Carlos Eduardo Rivera Enríquez, instructed the driver to proceed to the headquarters of the Judicial Police of Guayas. However, once on Barcelona Avenue, he ordered the vehicle to enter the esplanade of the Isidro Romero stadium until it reached a dark area. The detainee was taken to the back of the stadium. Five minutes later one of the National Police officers returned and around two minutes later a shot was heard. Then, sub-lieutenant Carlos Eduardo Rivera Enríquez came jogging back alone and ordered the vehicle to drive off. On April 19, 2002, the Criminal Court for Senior National Police Officers delivered judgment declaring the criminal responsibility of sub-lieutenant Rivera Enríquez as perpetrator of the crime of homicide or murder, and imposed a sentence of eight years' special imprisonment. Then, on March 15, 2012, at the request of sub-lieutenant Rivera Enríquez, the Tenth Court of Criminal Procedure Rights declared that the sentence imposed on him was subject to the statute of limitations.

Ruling: On November 8, 2022, the Inter-American Court of Human Rights delivered a judgment in which it declared the international responsibility of the Republic of Ecuador for the violation of diverse rights to the detriment of Joffre Antonio Aroca Palma and his family. The Court concluded that Ecuador had violated the rights to life, personal integrity, personal liberty, judicial guarantees and judicial protection. Consequently, the Inter-American Court declared that Ecuador was internationally responsible for the violation of Articles 4(1), 5(1), 7(1), 7(2), 7(4), 7(5), 8(1) and 25(1) of the American Convention on Human Rights, in relation to Articles 1(1) and 2 of this instrument, to the detriment of Joffre Antonio Aroca Palma and his family members, namely: Winston Aroca Melgar, father; Perla Palma Sánchez, mother; Cynthia Aroca Palma, sister; Ronald Aroca Palma, brother; Amalia Melgar Solórzano, paternal grandmother, and Amalia Antonieta Aroca Melgar, paternal aunt.

The Judgment can be found [here](#) and the official summary [here](#).

15. Case of Leguizamón Zaván et al. v. Paraguay. Merits, Reparations and Costs. Judgment of November 15, 2022. Serie C No. 473

Summary: The Inter-American Commission submitted this case on March 22, 2021. It relates to Santiago Leguizamón Zaván, who was a Paraguayan journalist with extensive experience. On several occasions he had received threats in the course of his work, and these were fulfilled on April 26, 1991, when he was murdered in the town of Pedro Juan Caballero, near the border with Brazil. An investigation was opened, ex officio, on the day of the murder; however, the facts related to his death remain unpunished.

Ruling: On November 15, 2022, the Inter-American Court of Human Rights delivered a judgment in which it declared that the Republic of Paraguay was responsible for the violation of the rights to life and freedom of thought and expression recognized in Articles 4(1) and 13 of the American Convention on Human Rights in relation to the obligation to respect and to ensure rights, contained in Article 1(1) of this instrument, to the detriment of Santiago Leguizamón Zaván, and of the rights to personal integrity, judicial guarantees and judicial protection, established in Articles 5(1), 8(1) and 25(1) of the Convention, in relation to the obligation to respect and to ensure rights, contained in Article 1(1) of this instrument, to the detriment of Ana María Margarita Morra and Raquel, Dante, Sebastián and Fernando Leguizamón Morra, respectively wife and children of Santiago Leguizamón Zaván.

The Judgment can be found [here](#) and the official summary [here](#).

16. Case of Valencia Campos et al. v. Bolivia. Preliminary Objection, Merits, Reparations and Costs. Judgment of October 18, 2022. Series C No. 469

Summary: The Inter-American Commission submitted this case on February 22, 2021. It relates to several raids conducted in the early morning hours of December 18, 2001, following the hold-up of a van transporting valuables. During those raids, the police forces used excessive force and committed acts of violence and torture against several of the victims. Subsequently, individuals who were in their homes, including two children and an adolescent, were taken to the offices of the Judicial Technical Police Force (PTJ). There, the victims were detained in cells in inadequate conditions, they were subjected to physical and verbal violence, and the women were raped by police officers. The following day, the Executive gave a press conference during which the victims were exhibited to the media and presented as authors of the attack, even though they had not yet been brought before a judge. The victims who were charged in the case were held in the PTJ cells until December 24, 2001, when they were transferred to prisons. In addition, even though the victims alleged that the detentions were unlawful, that excessive force had been used, and that some of them had been tortured, their allegations were not taken into account either when deciding on Precautionary Measures or during the trial.

Ruling: On October 18, 2022, the Inter-American Court of Human Rights delivered a judgment in which it declared the international responsibility of the Plurinational State of Bolivia for the violation of the rights to personal liberty, privacy and non-interference in the home, protection of the family, property, personal integrity, life, health, judicial protection, and honor and dignity, the obligation to investigate acts of torture, and the rights of the child as well as the rights of women to live free of violence and the obligation to investigate and punish violence against women contained in Articles 7, 11, 17, 19, 21, 5, 26, 25(1) of the American Convention on Human Rights in relation to the obligation to respect and to ensure rights established in Article 1(1) of this instrument, Articles 6 and 8 of the Inter-American Convention to Prevent and Punish Torture, and Article 7(a) and (b) of the Inter-American Convention for the Prevention, Punishment and Eradication of Violence against Women (Convention of Belem do Pará), to the detriment of a group of victims.

The Judgment can be found [here](#) and the official summary [here](#).

17. Case of Angulo Losada v. Bolivia. Preliminary Objections, Merits, Reparations and Costs. Judgment of November 18, 2022. Series C No. 475

Summary: The Inter-American Commission submitted this case on July 17, 2020. It relates to Brisa De Angulo Losada, who when she was 16 years of age, had stated on several occasions between October 2001 and May 2002, that she had suffered acts of sexual violence, including sexual abuse and rape, by her cousin. On becoming aware of the facts, Brisa's father informed Defence for Children International in Cochabamba on July 15, 2002. On July 24, 2002, the psychologist from the "Morning Star" Center attended Brisa, and concluded that the events related to a "child being seduced by an adult man in order to exploit her sexually." On July 31, 2002, Brisa was subjected to a forensic medical examination, which was performed by a male doctor in the presence of five medical students, all male, and without the presence of her parents. Following a series of criminal proceedings against E.G.A. for the crime of rape, on October 28, 2008, the Court declared him in default of appearance and ordered that an arrest warrant be issued against him, as well as other Precautionary Measures, in addition to suspending the trial. In July 2018, Interpol Colombia reported to Interpol Bolivia that the person charged in absentia was in Colombia. In May 2019, Sentencing Court No. 3 admitted the request for the extradition of E.G.A. In March 2020, rogatory letters were sent to the competent authority in Colombia with a formal request for his extradition. However, on September 7, 2022, it was decided to cancel the arrest warrant against E.G.A., because "the criminal action was subject to the statute of limitations under the laws of Colombia," and his immediate release was ordered.

Ruling: On November 18, 2022, the Inter-American Court of Human Rights delivered a judgment in which it declared the international responsibility of the Plurinational State of Bolivia for the violation of the rights to personal integrity, judicial guarantees, private and family life, rights of the child, and rights to equality before the law, and judicial protection contained in Articles 5(1), 5(2), 8(1), 11(2), 19, 24 and 25(1) of the American Convention on Human Rights, in relation to the obligation to respect and to ensure rights and to adopt domestic legal provisions, established in Articles 1(1) and 2 of this instrument, as well as non-compliance with the obligations derived from Article 7(b), (c), (e) and (f) of the Convention of Belém do Pará, to the detriment of Brisa De Angulo.

The Judgment can be found [here](#) and the official summary [here](#).

18. Case of Brítez Arce et al. v. Argentina. Merits, Reparations and Costs. Judgment of November 16, 2022. Series C No. 474

Summary: The Inter-American Commission submitted this case on February 25, 2021. It relates to Cristina Brítez Arce, who was 38 years of age and more than 40 weeks pregnant at the time of her death. She was also the mother of Ezequiel Martín Avaro and Vanina Verónica Avaro, who were 15 and 12 years of age at the time. During her pregnancy she had shown signs of several risk factors based on her age, a significant weight increase, and a history of high blood pressure, which were not treated adequately by the health system. On June 1, 1992, she went to the "Ramón Sardá" Public Hospital at around 9 a.m. She indicated that her back hurt, and she had a temperature and a slight loss of liquid from her genitals. An ultrasound scan was performed and this indicated that the fetus was dead; she was therefore interned in order to induce labor. The procedure was started at 1.45 p.m. and ended at 5.15 p.m. when she was transferred to the delivery room. According to her death certificate, Cristina Brítez Arce died the same day at 6 p.m. due to "non-traumatic cardiorespiratory arrest." One civil and three criminal cases were opened in relation to the death of Mrs. Brítez Arce, during which ten expert appraisals were presented.

Ruling: On November 16, 2022, the Inter-American Court of Human Rights delivered a judgment in which

it declared the Argentine Republic responsible for the violation of the rights to life, integrity and health recognized in Articles 4(1), 5(1) and 26 of the American Convention on Human Rights, in relation to the obligation to respect and to ensure rights contained in Article 1(1) of this instrument, to the detriment of Cristina Brítez Arce, and of the rights to personal integrity, judicial guarantees, protection of the family, rights of the child, and judicial protection, established in Articles 5(1), 8(1), 17(1), 19 and 25(1) of the Convention, in relation to the obligation to respect and to ensure rights contained in Article 1(1) of this treaty, and Article 7 of the Convention of Belém do Pará, the latter as of July 5, 1996, to the detriment of Ezequiel Martín Avaro and Vanina Verónica Avaro, Cristina Brítez Arce's son and daughter.

The Judgment can be found [here](#) and the official summary [here](#).

19. Case of Flores Bedregal et al. v. Bolivia. Preliminary Objections, Merits, Reparations and Costs. Judgment of October 17, 2022. Series C No. 467

Summary: The Inter-American Commission submitted this case on October 18, 2018. It relates to Juan Carlos Flores Bedregal, who was at the Bolivian Workers Union during a coup d'état in Bolivia in July 1980. Those present, including Mr. Flores Bedregal, were obliged to go downstairs and leave the building with their hands up, and he was shot during a hail of gunfire. The representative alleged that, since then, there had been no real news of his whereabouts or of the discovery of his remains. The State alleged that it had verified his death. On the same July 17, 1980, the Flores Bedregal brothers began searching for their brother. Following the reinstatement of democracy in Bolivia in 1982, it was agreed to investigate the crimes committed during the de facto government and this culminated in a judgment of the Supreme Court of Justice of April 15, 1993, and several of the accused were convicted following the discovery of the presumed corpses of Marcelo Quiroga and Juan Carlos Flores Bedregal. This judgment was subject to several appeals. Finally, the proceedings ended in a judgment of the First Chamber of the Supreme Court of October 25, 2012. During the proceedings, the Flores Bedregal brothers asked that the defendants be convicted of the forced disappearance of their brother and, repeatedly, requested that the documents in the archives of the Armed Forces be declassified. However, they were refused access to that information.

Ruling: On October 17, 2022, the Inter-American Court of Human Rights delivered its judgment in which it declared the international responsibility of the Plurinational State of Bolivia for the forced disappearance of Juan Carlos Flores Bedregal and the violation of his rights to recognition of juridical personality, life, personal integrity and liberty established in Articles 3, 4(1), 5(1), 5(2) and 7(1) of the American Convention on Human Rights, in relation to Article 1(1) of the Convention and Article I(a) of the Inter-American Convention on Forced Disappearance of Persons (ICFDP). In addition, it concluded that the State was responsible for the violation of the rights to judicial guarantees, access to information, judicial protection, and personal integrity established in Articles 8(1), 13(1), 13(2), 25(1), 5(1) and 5(2) of the Convention, as well as the right to know the truth, in relation to Articles 1(1) and 2 thereof, and Articles I(b) and III of the ICFDP to the detriment of Olga Beatriz, Verónica, Eliana Isbelia and Lilian Teresa, all Flores Bedregal.

The Judgment can be found [here](#) and the official summary [here](#).

20. Case of Tzompaxtle Tecpile et al. v. Mexico. Preliminary Objections, Merits, Reparations and Costs. Judgment of November 7, 2022. Series C No. 470

Summary: The Inter-American Commission submitted this case on May 1, 2021. It relates to the arrest, deprivation of liberty and criminal proceedings against Jorge Marcial and Gerardo Tzompaxtle Tecpile, and Gustavo Robles López. The victims were arrested on January 12, 2006, on the Mexico-Veracruz highway,

after a police patrol had searched their vehicle and found elements that it considered incriminating. For two days they were questioned and kept incommunicado. Subsequently, a custody order (arraigo) was issued which meant that they were transferred to a custody center in Mexico City. They were confined there for more than three months until, on April 22, 2006, when an “order for formal imprisonment” was issued, following which the Federal Public Prosecution Service filed criminal charges against the victims for the crime of terrorism. The order required the opening of criminal proceedings by the judge in charge of the case and the victims were kept in pre-trial detention for around two and a half years. On October 16, 2008, the final judgment was delivered acquitting the victims of the crime of violation of the Federal Law against Organized Crime by terrorism, and convicting them of the crime of bribery owing to the attempt made to suborn the officers who had detained them. The Court considered that the sentence for bribery had already been served and, therefore, ordered their immediate release. They were released the same day.

Ruling: On November 7, 2022, the Inter-American Court of Human Rights delivered its judgment in which it declared the international responsibility of the State of Mexico for the violation of the rights to personal integrity, personal liberty, judicial guarantees and judicial protection established in Articles 5, 7, 8 and 25 of the American Convention on Human Rights, in relation to the obligations to respect rights and to adopt domestic legal provisions contained in Articles 1(1) and 2 of this instrument. These violations of the Convention were committed to the detriment of Jorge Marcial Tzompaxtle Tecpile, Gerardo Tzompaxtle Tecpile and Gustavo Robles López, and took place in the context of their arrest and deprivation of liberty, the criminal proceedings against them, the measure of custody (arraigo) imposed on them, and the time during which they were kept in pre-trial detention. The facts occurred between 2006 and 2008.

The Judgment can be found [here](#) and the official summary [here](#).

21. Case of Bissoon et al. v. Trinidad and Tobago. Merits and Reparations. Judgment of November 14, 2022. Series C No. 472

Summary: The Inter-American Commission submitted this case on June 29, 2021. It relates to Reshi Bissoon and Foster Serrette. The former was declared guilty of murder and sentenced to death by the High Court of Trinidad and Tobago, and Mr. Serrette was declared guilty of the manslaughter of his wife and the murder of his son by the High Court of Trinidad and Tobago, and sentenced to life imprisonment for the manslaughter and to death for the murder. The Court was informed that, on August 15, 2008, the death sentences of Messrs. Bissoon and Serrette were commuted to life imprisonment. The representatives indicated that, while in pre-trial detention, Messrs. Bissoon and Serrette were subjected to deplorable detention conditions in the Golden Grove Prison.

Ruling: On November 14, 2022, the Inter-American Court of Human Rights delivered a judgment in which it declared the international responsibility of the State of Trinidad and Tobago for the violations of the right to personal liberty to the detriment of Reshi Bissoon as a result of the violation of the reasonable duration of his pre-trial detention, and also for the violation of the right to personal integrity to the detriment of Reshi Bissoon and Foster Serrette because they were subjected to detention conditions incompatible with the relevant Inter-American standards. In particular, the Court declared that the State of Trinidad and Tobago had violated Articles 7(5), 5(1), 5(2) of the American Convention on Human Rights, in relation to Article 1 of this instrument.

The Judgment can be found [here](#) and the official summary [here](#).

22. Case of Members and Activists of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455

Summary: The Inter-American Commission submitted this case on June 29, 2018. It relates to the Patriotic Union (UP), a political organization. As a result of its rapid ascent within national politics, an alliance was formed by paramilitary groups, sectors of traditional politics, law enforcement, and the business sector to counteract its presence in the political arena. Thereafter, acts of violence were committed against UP supporters, members and activists. The Court was able to corroborate that the systematic violence against the members and activists of the UP – which continued for more than 20 years and extended to almost all the territory of Colombia – was revealed by different types of acts, including forced disappearances, massacres, extrajudicial executions and murders, threats, assaults, stigmatization, undue prosecutions, torture, and forced displacements. Those acts were aimed at the systematic exterminating the UP political party, its members and activists, with the participation of state agents and with the tolerance and acquiescence of the authorities.

Ruling: On July 27, 2022, the Inter-American Court of Human Rights delivered its judgment in which it declared the international responsibility of the State of Colombia for the human rights violations committed to the detriment of more than six thousand victims, members and activists of the Patriotic Union political party in Colombia, starting in 1984 and continuing for more than twenty years. The Court classified those facts as extermination, and found that the State was internationally responsible for failure to comply with its obligation to respect and to guarantee rights established in the American Convention owing to the violation of the right to life (Article 4), the forced disappearances (Articles 3, 4, 5 and 7), the torture, threats, harassment, forced displacements and attempted murders (Articles 5 and 22) of the members and activists of the political party, who were recognized as victims in this case. It also concluded that the State had violated the political rights (Article 23), freedom of thought and expression (Article 13), and freedom of association (Article 16), because the human rights violations were motivated by the victims' membership in a political party and the expression of their ideas through the party. It also found that the State had violated the right to honor and dignity (Article 11) of the UP members and activists because they were stigmatized by state authorities. Furthermore, it determined that the State had violated the rights to judicial guarantees (Article 8(1)), and judicial protection (Article 25), and the duty to investigate the gross human rights violations that occurred. It also indicated that the State had violated the rights to personal liberty (Article 7), judicial guarantees, honor and dignity, and judicial protection due to the criminalization of some members and activists of the UP.

The Judgment can be found [here](#) and the official summary [here](#).

23. Case of Nissen Pessolani v. Paraguay. Merits, Reparations and Costs. Judgment of November 21, 2022. Series C No. 477

Summary: The Inter-American Commission submitted this case on March 11, 2011. It relates to Alejandro Nissen Pessolani, who was appointed a criminal prosecutor in 1999 and investigated acts related to the illegal trafficking of stolen vehicles involving senior public sector officials. On March 12, 2002, C.P.O., who was being investigated for the alleged offense of falsification of official customs documents in order to whitewash vehicles stolen in Brazil and Argentina, filed a complaint before the Jury for the Prosecution of Court Officials (JEM) against prosecutor Nissen Pessolani based on poor performance of his functions. On March 18, 2002, by an order signed only by the JEM president, a trial was opened against the prosecutor. During the proceedings, Mr. Nissen Pessolani requested the

disqualification of four members of the JEM, including its president, based on alleged bias; however, his request was rejected. On August 20, 2002, Luis Talavera Alegre, a member of the JEM, presented a brief requesting the suspension and annulment of the trial. He alleged that the proceedings had been opened by an order of the president of the Jury rather than by a resolution of its members, as established in the regulations; he therefore considered that it was an irregular and unlawful act that resulted in the nullity of the entire proceedings. This appeal for annulment was rejected. On April 7, 2003, in judgment No. 02/03, the JEM decided “to remove the lawyer, Alejandro Nissen Pessolani, [...] due to poor performance of his functions pursuant to paragraphs (b), (g) and (n) of art. 14 of Law No. 1084/91 [...]” The Judgment was signed by the JEM vice president, and by another five members, excluding the president.

Ruling: On November 21, 2022, the Inter-American Court of Human Rights delivered its judgment in which it declared the international responsibility of the Republic of Paraguay for the violation of the guarantee of an impartial judge and judicial protection, the right to remain in office in equal conditions and to employment stability established in Articles 8(1), 25(1), 23(1)(c) and 26 of the American Convention on Human Rights in relation to the obligation to respect and to ensure rights established in Article 1(1) of this instrument to the detriment of Alejandro Nissen Pessolani owing to his removal from the post of criminal prosecutor following proceedings conducted by the Jury for the Prosecution of Court Officials.

The Judgment can be found [here](#) and the official summary [here](#).

24. Case of Dial et al. v. Trinidad and Tobago. Merits and Reparations. Judgment of November 21, 2022. Series C No. 476

Summary: The Inter-American Commission submitted this case on June 23, 2021. It relates to Messrs. Dial and Dottin, who, on January 21, 1997, were found guilty of the crime of murder by the verdict of a jury and sentenced by the Fourth Criminal Court, Port of Spain, to the mandatory death penalty, as provided for in article 4 of the Offences Against the Person Act, which stipulated that “[e]very person convicted of murder shall suffer death.” Messrs. Dial and Dottin filed an appeal against the Judgment of January 21, 1997.

On October 16, 1997, the Court of Appeal of Trinidad and Tobago rejected the appeal and confirmed the guilty verdict. Subsequently, the alleged victims filed an appeal before the Judicial Committee of the Privy Council arguing, inter alia, that there were discrepancies in the ballistics report.

Ruling: On November 21, 2022, the Inter-American Court of Human Rights delivered a judgment in which it declared the international responsibility of the State of Trinidad and Tobago for the violation of the right to life as a result of the automatic imposition of the death penalty; the violation of the right to personal liberty as a result of the violation of the right to be informed of the reasons for the detention; the violation of procedural guarantees due to certain errors that occurred during the criminal proceedings, and the violation of the right to personal integrity due to detention conditions that were incompatible with the standards of the Convention to the detriment of Kelvin Dial and Andrew Dottin, as well as the violation of the right to protection of the family to the detriment of Mr. Dial. In particular, the Court declared that the State of Trinidad and Tobago had violated Articles 4(2), 5(1), 5(2), 7(4), 8(2)(c), 8(2)(d), and 17 of the American Convention on Human Rights, in relation to Articles 1 and 2 of this instrument. On June 13, 2005, the victims filed a constitutional motion owing to the Judgment delivered by the Judicial Committee of the Privy Council on July 7, 2004, in the Case of Charles Matthew v. The State in which it determined that the imposition of the mandatory death penalty was incompatible with the prohibition of inhuman or degrading punishment established by

the Constitution of Trinidad and Tobago. On June 13, 2005, a temporary stay of the execution of Messrs. Dial and Dottin was ordered. On August 15, 2008, the constitutional motion was granted and the death sentences were commuted to life imprisonment. Following their conviction on January 21, 1997, Messrs. Dial and Dottin were confined in inadequate prison conditions.

The Judgment can be found [here](#) and the official summary [here](#).

25. Case of Baraona Bray v. Chile. Preliminary Objections, Merits, Reparations and Costs. Judgment of November 24, 2022. Serie C No. 481

Summary: The Inter-American Commission submitted this case on August 11, 2020. It relates to the violation of the right to freedom of expression owing to the imposition of subsequent liability and the inadmissible use of criminal law in matters of public interest. In May 2004, Carlos Baraona Bray, a lawyer and environmental defender, gave a series of interviews and made statements that were published in different media in which he affirmed that a senator of the Republic had exercised pressure and used his influence so that the authorities would carry out illegal logging of alerce (larch), a species of ancient tree in Chile. The senator filed a criminal complaint against the alleged victim, who was convicted of the offense of “gross slander” through a media outlet to 300 days’ suspended imprisonment, a fine, and the accessory punishment of suspension from public office for the period of the sentence. Mr. Baraona filed an appeal for annulment; however, the first instance decision was ratified.

Ruling: On November 24, 2022, the Inter-American Court delivered a judgment in which it declared the international responsibility of Chile for the violations of diverse rights to the detriment of Carlos Baraona Bray. This was due to the criminal proceedings and the sentence imposed for the offense of gross slander for the statements that Mr. Baraona Bray had made in May 2004 concerning the actions of senator S.P., in his capacity as a public official, in relation to the illegal logging of alerce trees. The Court concluded that Chile was responsible for the violation of the rights to freedom of thought and expression, the principle of legality, and judicial protection established in Articles 13(1) and 13(2), 9 and 25(1) of the American Convention on Human Rights, in relation to Articles 1(1) and 2 of this instrument, to the detriment of Mr. Baraona Bray.

The Judgment can be found [here](#) and the official summary [here](#).

Interpretation Judgments

1. Case of Cuya Lavy et al. v. Peru. Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022

Summary: On March 8, 2022, the State submitted a request for interpretation of paragraph 206 of the Judgment. It explained that it was seeking clarification regarding the order of the Court to adapt its domestic law to the provisions of the American Convention [...] in relation to the reinstatement of the non-ratified magistrates to the Judiciary or the Public Prosecution Service and to the possibility of appealing decisions determining the non-ratification of a magistrate.” Also, how the State can exercise, ex officio, “conventionality control between domestic law and the American Convention [...] while the measures are not adopted.”

Ruling: The Court declared admissible the request presented by the State for interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs delivered in the Case of Cuya Lavy et al. v. Peru. Therefore, in the interpretation judgment, it clarified paragraph 206 of the Judgment to the effect that the State should adopt legislative or other measures that permit: (i) reinstatement of the non-ratified magistrates to the Judiciary or the Public Prosecution Service, and (ii) appeal the decisions that determined the non-ratification of a magistrate, in order to adapt its laws to the provisions of the American Convention.

The Judgment can be found [here](#).

2. Case of the Maya Kaqchikel Indigenous Peoples of Sumpango et al. v. Guatemala. Interpretation of the Judgment on Merits, Reparations and Costs. Judgment of July 27, 2022

Summary: On March 17, 2022, the State submitted a request for interpretation related to the scope of the second, fourth, six, seventh and eighth operative paragraphs of the Judgment.

Ruling: The Court declared admissible the request submitted by the State of Guatemala for interpretation of the Judgment on Merits, Reparations and Costs delivered in the Case of the Maya Kaqchikel Indigenous Peoples of Sumpango et al. v. Guatemala. However, it rejected the request as inadmissible with regard to the second, fourth, sixth and, partially, the eighth operative paragraphs, and partially determined the meaning and scope of the provisions of the eighth operative paragraph.

The Judgment can be found [here](#).

3. Case of the Massacre of the village of Los Josefinos v. Guatemala. Interpretation of the Judgment on Preliminary objection, Merits, Reparations and Costs. Judgment of July 27, 2022

Summary: On March 16, 2022, the State of Guatemala submitted a request for interpretation related to the determination of victims in the Judgment. Also, on March 21, 2022, the representatives submitted a request for interpretation related to: (i) the measure concerning the safe return of displaced persons who so wish, and (ii) the measures of compensation.

Ruling: The Court declared that both the request for interpretation submitted by the State and the request for interpretation submitted by the representatives were admissible. However, it rejected, as inappropriate, the request for interpretation presented by the State. However, it clarified by interpretation, among other matters, that the payments already made to the representatives of the family group in the context of the 2007 Friendly Settlement Agreement would be assumed by the person who effectively received the payment as representative of the family group.

The Judgment can be found [here](#).

4. Case of the Former Employees of the Judiciary v. Guatemala. Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022

Summary: On April 22, 2022, the State submitted a request for interpretation in which it asked the Court to “elaborat[e] on the content of the Judgment in order to support the direct inclusion within

the list of rights, of those derived from Article 26 of the Convention.” It also asked the Court to rule on the “issues concerning the rights developed in the Judgment that are not based on treaties subject to ratification by the States.”

Ruling: The Court declared that the request for interpretation submitted by the State was admissible, but rejected it as inappropriate.

The Judgment can be found [here](#).

5. Case of the Teachers of Chañaral and other municipalities v. Chile. Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022

Summary: On March 21, 2022, the State submitted a request for interpretation of the Judgment. First, it requested clarification of the expression "annual installments" used in paragraph 232 of the Judgment, which defined the form of payment of the amounts established as a measure of restitution. Secondly, it requested that the criteria for payment of the amounts corresponding to the measures of restitution, the compensatory damages, and the costs and expenses be established with greater precision. Third, it requested clarification on how the calculation of interest referred to in paragraph 209 of the Judgment would be applied, in relation to the criteria established in paragraphs 232 and 238 of the Judgment. It also requested clarification as to whether the readjustment of the amounts ordered as a measure of restitution applied with regard to each installment in relation to the date of payment, or rather with regard to the total amount owed after the payment of a respective installment. Fourth, it requested interpretation of the scope of the term "justice operators" in paragraph 216 of the Judgment in relation to guarantees of non-repetition. Finally, it requested interpretation as to whether the mechanism indicated in paragraph 234 to resolve the situation of the deceased victims whose heirs could not be determined was only applicable to the three cases identified in that paragraph or whether it would be applicable to all the other cases in which the heirs of the deceased victims could not be determined in order to make the payment.

Ruling: The Court declared that the request for interpretation of judgment submitted by the State was admissible, and clarified, by interpretation, various aspects related to the reparations established in the Judgment.

The Judgment can be found [here](#).

6. Case of Manuela et al. v. El Salvador. Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022

Summary: On February 28, 2022, the victims’ representatives submitted a request for interpretation pursuant to Articles 67 of the Convention and 68 of the Rules of Procedure. They asked the Court to define the scope of three measures of reparation ordered in the Judgment.

Ruling: The Court declared admissible the request submitted by the victims’ representatives for interpretation of judgment on Preliminary Objections, Merits, Reparations and Costs delivered in the Case of Manuela et al. v. El Salvador. In the interpretation judgment, it clarified the time frames for Manuela’s children to express their interest in receiving study grants. However, the Court rejected, as inappropriate, the request for interpretation with regard to the scope of the measures of rehabilitation.

It also clarified the calculation of the time frame for monitoring the measure of reparation established in the Judgment.

The Judgment can be found [here](#).

7. Case of Maidanik et al. v. Uruguay. Interpretation of the Judgment of Merits and Reparations. Judgment of November 21, 2022

Summary: On February 22, 2022, the State submitted a request for interpretation related to the scope of the provisions of paragraph 279 of the Judgment, in relation to the distribution among the heirs of the compensation corresponding to a victim, as well as of the provisions of paragraph 278 in relation to the possibility of deducting the sums delivered to victims for the concept of reparation before the delivery of the Judgment from the compensation amounts established therein.

Ruling: The Court rejected part of the State's request for interpretation of the Judgment on merits and reparations in the Case of Maidanik et al. v. Uruguay. It declared the request for interpretation admissible in relation to the possibility of updating the sums of money delivered to the victims prior to the Judgment. The Court clarified the possibility of updating the sums of money delivered to the victims prior to the delivery of the Judgment in order to deduct them from the compensation amounts established in the Judgment.

The Judgment can be found [here](#).

8. Case of the Julien Grisonas family v. Argentina. Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs. Judgment of November 21, 2022

Summary: On March 21, 2022, the victims' representative submitted a request for interpretation related to the scope of the provisions of paragraphs 311 and 314 of the Judgment, concerning the compensation for non-pecuniary damage.

Ruling: The Court rejected, as inappropriate, the request for interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs delivered by the Court in the Case of the Julien Grisonas family v. Argentina.

The Judgment can be found [here](#).

9. Case of the National Federation of Maritime and Port Workers (FEMAPOR) v. Peru. Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs. Judgment of November 21, 2022

Summary: On July 18, 2022, the State of Peru submitted to the Court a request for interpretation related to the payments ordered in the seventh operative paragraph of the judgement. Also, the same day, the representative, Meneses Huayra, submitted to the Court a request for interpretation related to the claim that the group of 1,773 workers listed in Annex III of the Judgment should make at the domestic level for the correct liquidation of: (a) the increase additional to the remunerations; (b) the reimbursement of social benefits and rights; (c) the payment of the school campaign, and (d) interest.

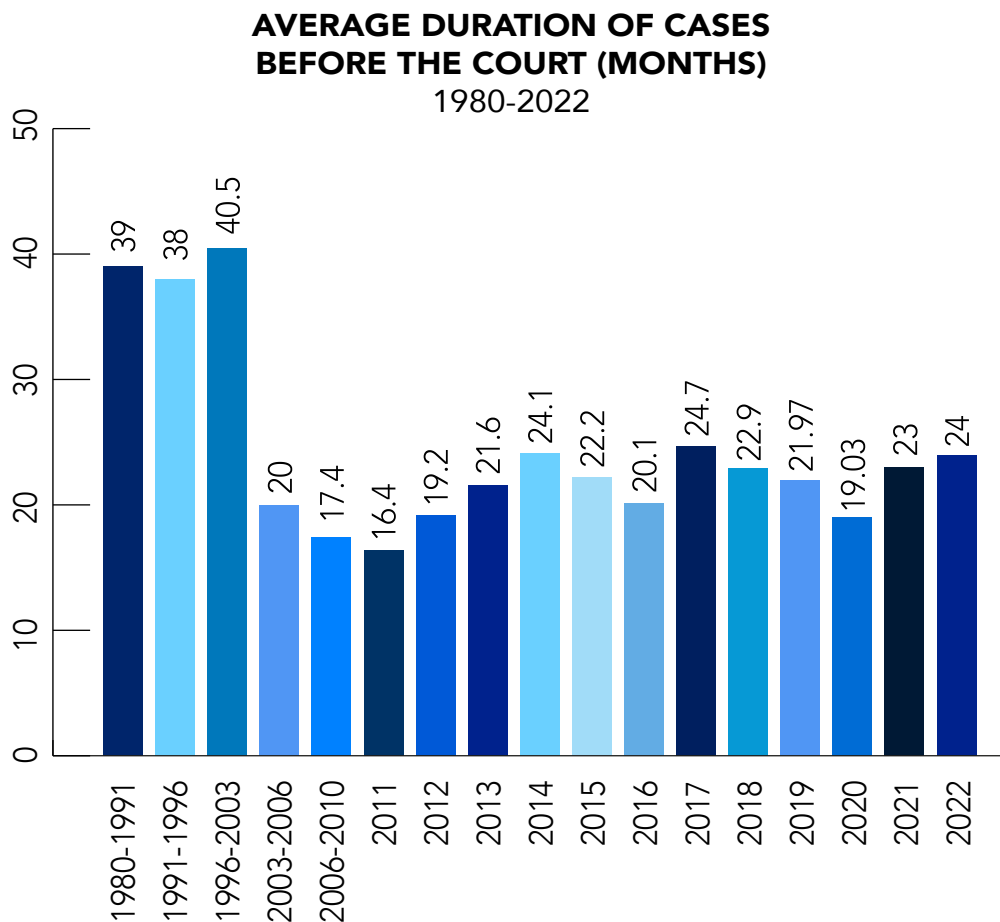
Ruling: The Court declared admissible the request for interpretation submitted by the State and also the request for interpretation submitted by the representative, Meneses Huayra. However, it rejected both requests as inappropriate.

The Judgment can be found [here](#).

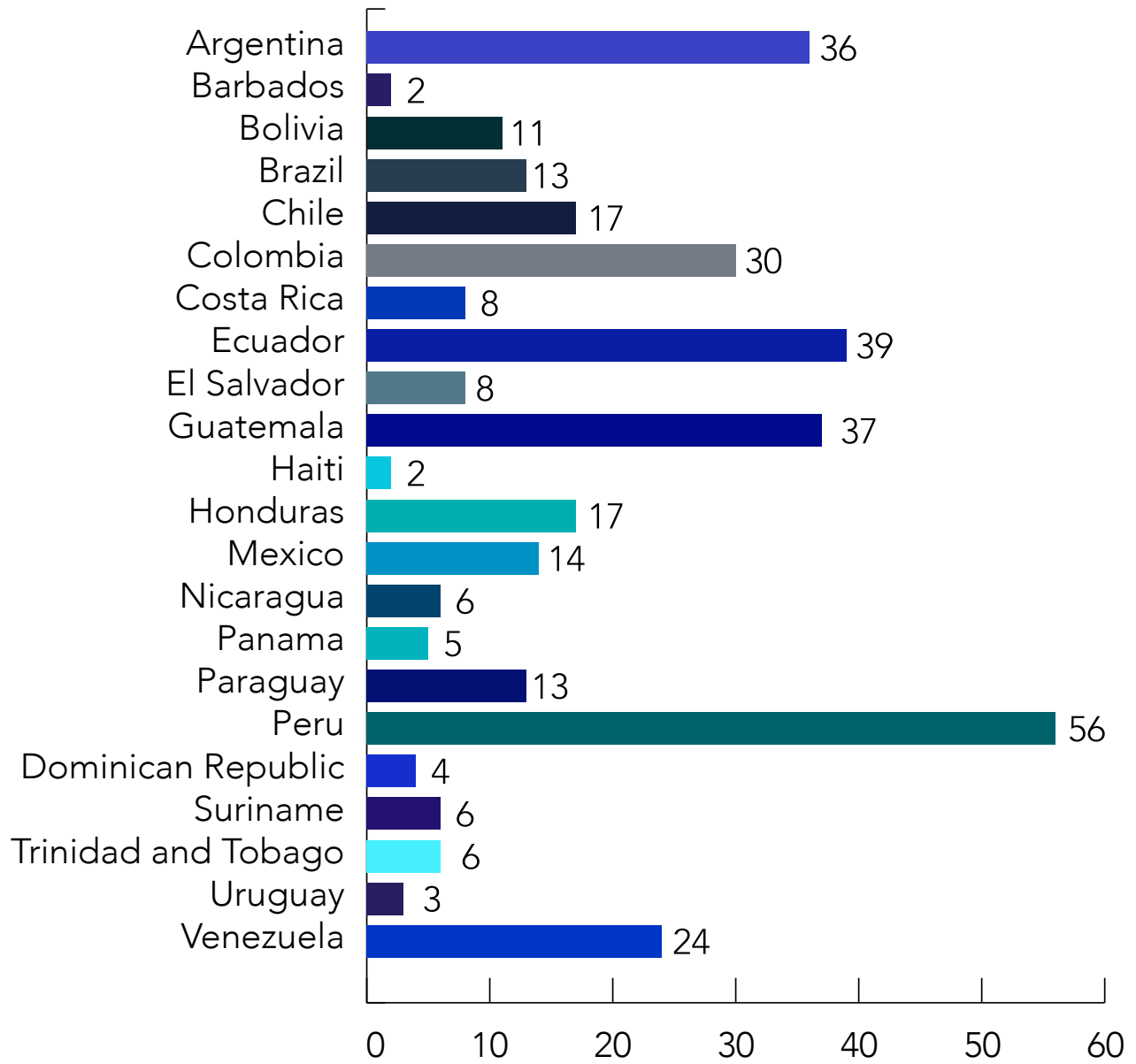
Average time to process cases

Every year the Court makes a great effort to decide the cases before it promptly. The principle of a reasonable time established in the American Convention and the Court's consistent Case Law is applicable not only to the domestic proceedings in each State Party, but also to the international organs or courts whose function it is to decide petitions concerning alleged human rights violations.

In 2022, the average time required to process cases before the Court was 24 months.



TOTAL CASES RESOLVED BY STATE AT THE END OF 2022



Judgments on the Merits and Interpretation in 2022



ARGENTINA

- I/A Court H.R. Case of Habbal et al. v. Argentina. Preliminary objections and merits. Judgment of August 31, 2022. Serie C No. 463.
- I/A Court H.R. Case of Brítez Arce et al. v. Argentina. Merits, reparations and costs. Judgment of November 16, 2022. Serie C No. 474.
- I/A Court H.R. Case of the Julien Grisonas family v. Argentina. Interpretation of the judgment on preliminary objections, merits, reparations and costs. Judgment of November 21, 2022. Serie C No. 479.

BRAZIL

- I/A Court H.R. Case of Sales Pimenta v. Brazil. Preliminary objections, merits, reparations and costs. Judgment of June 30, 2022. Serie C No. 454.

BOLIVIA

- I/A Court H.R. Case of Valencia Campos et al. v. Bolivia. Preliminary objection, merits, reparations and costs. Judgment of October 18, 2022. Serie C No. 469.
- I/A Court H.R. Case of Angulo Losada v. Bolivia. Preliminary objections, merits, reparations and costs. Judgment of November 18, 2022. Serie C No. 475.
- I/A Court H.R. Case of Flores Bedregal et al. v. Bolivia. Preliminary objections, merits, reparations and costs. Judgment of October 17, 2022. Serie C No. 467.

CHILE

- I/A Court H.R. Case of Pavez Pavez v. Chile. Merits, reparations and costs. Judgment of February 4, 2022. Serie C No. 449.
- I/A Court H.R. Case of Baraona Bray v. Chile. Preliminary objections, merits, reparations and costs. Judgment of November 24, 2022. Serie C No. 481.
- I/A Court H.R. Case of the Teachers of Chañaral and other municipalities v. Chile. Interpretation of the judgment on preliminary objection, merits, reparations and costs. Judgment of July 27, 2022. Serie C No. 460.

COLOMBIA

- I/A Court H.R. Case of Movilla Galarcio et al. v. Colombia. Merits, reparations and costs. Judgment of June 22, 2022. Serie C No. 452.
- I/A Court H.R. Case of Members and Activists of the Patriotic Union v. Colombia. Preliminary objections, merits, reparations and costs. Judgment of July 27, 2022. Serie C No. 455.

COSTA RICA

- I/A Court H.R. Case of Moya Chacón et al. v. Costa Rica. Preliminary objections, merits, reparations and costs. Judgment of May 23, 2022. Serie C No. 451.
- I/A Court H.R. Case of Guevara Díaz v. Costa Rica. Merits, reparations and costs. Judgment of June 22, 2022. Serie C No. 453.

ECUADOR

- I/A Court H.R. Case of Casierra Quiñonez et al. v. Ecuador. Preliminary objection, merits, reparations and costs. Judgment of May 11, 2022. Serie C No. 450.
- I/A Court H.R. Case of Mina Cuero v. Ecuador. Preliminary objection, merits, reparations and costs. Judgment of September 7, 2022. Serie C No. 464.



- I/A Court H.R. Case of Huacón Baidal et al. v. Ecuador. Judgment of October 4, 2022. Serie C No. 466.
- I/A Court H.R. Case of Cortez Espinoza v. Ecuador. Preliminary objections, merits, reparations and costs. Judgment of October 18, 2022. Serie C No. 468.
- I/A Court H.R. Case of Aroca Palma et al. v. Ecuador. Preliminary objection, merits, reparations and costs. Judgment of November 8, 2022. Serie C No. 471.

EL SALVADOR

- I/A Court H.R. Case of Manuela et al. v. El Salvador. Interpretation of the judgment on preliminary objections, merits, reparations and costs. Judgment of July 27, 2022. Serie C No. 461.

GUATEMALA

- I/A Court H.R. Case of the Maya Kaqchikel Indigenous Peoples of Sumpango et al. v. Guatemala. Interpretation of the judgment on merits, reparations and costs. Judgment of July 27, 2022. Serie C No. 457.
- I/A Court H.R. Case of the Massacre of the village of Los Josefinos v. Guatemala. Interpretation of the judgment on preliminary objection, merits, reparations and costs. Judgment of July 27, 2022. Serie C No. 458.
- I/A Court H.R. Case of the Former Employees of the Judiciary v. Guatemala. Interpretation of the judgment on preliminary objections, merits, reparations and costs. Judgment of July 27, 2022. Serie C No. 459.

HONDURAS

- I/A Court H.R. Case of Deras García et al. v. Honduras. Merits, reparations and costs. Judgment of August 25, 2022. Serie C No. 462.

MEXICO

- I/A Court H.R. Case of Tzompaxtle Tecpile et al. v. Mexico. Preliminary objection, merits, reparations and costs. Judgment of November 7, 2022. Serie C No. 470.

PARAGUAY

- I/A Court H.R. Case of Leguizamón Zaván et al. v. Paraguay. Merits, reparations and costs. Judgment of November 15, 2022. Serie C No. 473.
- I/A Court H.R. Case of Nissen Pessolani v. Paraguay. Merits, reparations and costs. Judgment of November 21, 2022. Serie C No. 477.

PERU

- I/A Court H.R. Case of the National Federation of Maritime and Port Workers (FEMAPOR) v. Peru. Preliminary objections, merits, reparations and costs. Judgment of February 1, 2022. Serie C No. 480.
- I/A Court H.R. Case of Benites Cabrera et al. v. Peru. Preliminary objections, merits, reparations and costs. Judgment of October 4, 2022. Serie C No. 465.
- I/A Court H.R. Case of Cuya Lavy et al. v. Peru. Interpretation of the judgment on preliminary objections, merits, reparations and costs. Judgment of July 27, 2022. Serie C No. 456.
- I/A Court H.R. Case of the National Federation of Maritime and Port Workers (FEMAPOR) v. Peru. Interpretation of the judgment on preliminary objections, merits, reparations and costs. Judgment of November 21, 2022. Serie C No. 480.

TRINIDAD AND TOBAGO

- I/A Court H.R. Case of Bissoon et al. v. Trinidad and Tobago. Merits and reparations. Judgment of November 14, 2022. Serie C No. 472.
- I/A Court H.R. Dial et al. v. Trinidad and Tobago. Merits and reparations. Judgment of November 21, 2022. Serie C No. 476.

URUGUAY

- I/A Court H.R. Case of Maidanik et al. v. Uruguay. Interpretation of the judgment of merits and reparations. Judgment of November 21, 2022. Serie C No. 478.



Monitoring compliance with Judgments

V. Monitoring compliance with Judgments

A. Summary of the work of monitoring compliance

Monitoring compliance with the Court's Judgments has become one of the most demanding activities of the Court, because each year there is a considerable increase in the number of cases at this stage. Numerous measures of reparation are ordered in each Judgment,⁸⁰ and the Court monitors their implementation, rigorously and continually, until every reparation ordered has been fully complied with. When assessing compliance with each reparation, the Court makes a thorough examination of the way in which the different components are executed, and how they are implemented with regard to each victim who benefits from the measures, because there are numerous victims in most cases. **Currently, 280 cases⁸¹ are at the stage of monitoring compliance, and this entails monitoring 1,492 measures of reparation.**

Both the number of reparations ordered, and also their nature and complexity have an impact on the time a case may remain at the stage of monitoring compliance. Compliance with some measures entails a greater degree of difficulty. Before the Court is able to close a case, the State that has been found internationally responsible must have complied with each and every measure of reparation. Therefore, it is not unusual that, in some cases at the stage of monitoring compliance with Judgment, only one measure of reparation is pending⁸² while, in others, numerous reparations remain pending implementation. Consequently, despite the fact that, in many cases, numerous measures have been executed, the Court keeps this stage open until it considers that the State has complied fully with the Judgment.

In the original Judgment the Court requires the State to present an initial report on the implementation of its decisions within one year.⁸³ It then monitors compliance with the Judgment by issuing orders, holding hearings, conducting on-site procedures in the State found responsible, and daily monitoring by means of notes issued by the Court's Secretariat. In 2015, the Secretariat established a unit dedicated exclusively to monitoring compliance with Judgments (the Unit for monitoring compliance with Judgments), in order to follow up more thoroughly on State compliance with the diverse measures of reparation ordered. Until then this task had been divided up among the different working groups in the legal area of the Court's Secretariat, which were also responsible for working on Contentious Cases pending Judgment, following up on Provisional Measures, and developing Advisory Opinions.

80 To understand the wide range of measures ordered by the Court, they can be grouped into the following forms of reparation: measures to guarantee to the victims the right that has been violated; restitution; rehabilitation; satisfaction; search for the whereabouts and/or identification of the remains; guarantees of non-repetition; the obligation to investigate, prosecute and punish, as appropriate, those responsible for the human rights violations; compensation, and reimbursement of costs and expenses.

81 The list of 280 cases at the stage of monitoring compliance includes cases to which the Court had previously applied Article 65 of the American Convention based on non-compliance by the State and in which the situation has not varied.

82 At December 2022, in 23% of the cases at the monitoring stage (64 cases), one or two measures of reparation were pending. Most of these refer to reparations that are complex to execute, such as the obligation to investigate, prosecute and punish, as appropriate, those responsible for the human rights violations; the search for the whereabouts and/or identification of the remains, and guarantees of non-repetition.

83 In addition, in the case of the measures relating to the publication and dissemination of the Judgment, the Court may require the State, regardless of the one-year time frame for presenting its first report, to advise the Court immediately when each publication ordered in the respective Judgment has been made.

In 2022, the Court adopted important changes in the methodology used and work policies for cases at the stage of monitoring compliance with Judgment. Judge rapporteurs were established by country, and it was decided to delegate the different procedures (on-site visits and hearings) to them, individually or in commissions, as well as meetings, both during and outside the Court's Sessions. This methodology has the advantage of allowing the Court to conduct a more continuous monitoring of a greater number of cases at that procedural stage than the full Court is able to conduct during its Sessions.

Also, as a policy for this work, the Court considers it essential to conduct monitoring activities in the territory of the States found responsible. To this end, from 2015 to 2022, it has enjoyed the support and collaboration of ten States, and will continue its efforts to maintain this rapprochement with States and victims. In addition, the Court has identified the importance of increasing the dialogue and communication with legislative bodies to provide them with information on the reparations whose execution they can influence. Added to this, the Court considers it important to publicize its Case Law on monitoring compliance and best practices in the implementation of reparations. The objective is for the procedure of monitoring compliance to be as dynamic as possible, bringing the parties together and seeking prompt solutions to ensure that the reparations ordered in the Judgments are complied with fully. The Court has adopted an active approach of supervising and promoting dialogue between the parties to facilitate compliance with its Judgments.

The Court executes this function by monitoring each case individually, and also by the joint monitoring of measures of reparation ordered in Judgments in several cases against the same State. The Court employs this strategy when it has ordered the same or similar reparations in the Judgments in several cases and when compliance with them faces common factors, challenges or obstacles. The joint hearings and monitoring orders have had positive repercussions for those involved in implementing the measures. This joint specialized monitoring mechanism allows the Court to have a greater impact because it can address, at one and the same time, an issue that is common to several cases involving the same State, approaching it comprehensively, instead of having to monitor the same measure in several cases separately. . It also enables the Court to encourage discussion among the different representatives of the victims in each case and results in a more dynamic participation by the State officials responsible for implementing the reparations at the domestic level. In addition, it provides an overview of the advances made and the factors impeding progress in the State concerned, identifies the reparations regarding which a significant dispute exists between the parties, and those to which they can achieve greater agreement and make most progress.

In recent years the information available in the Court's Annual Report and on its website has gradually been increased in order to provide more information on the status of compliance with the reparations ordered in the Judgments delivered by the Inter-American Court, and to give this aspect increased visibility.

In the Case of the website (www.corteidh.or.cr), the home page includes a link to "monitoring compliance with Judgments," which has information on this function of the Court. A link is included to "Cases closed" due to compliance with the reparations https://www.corteidh.or.cr/casos_en_supervision_por_pais_archivados.cfm and another to "Cases at the stage of monitoring compliance" https://www.corteidh.or.cr/casos_en_supervision_por_pais.cfm, which includes a chronological table

of the Judgments delivered, organized by State, with direct links to:

- Judgment establishing reparations;
- orders issued at the stage of monitoring compliance in each case;
- a “Reparations” column that contains links to the “Reparations declared completed” (differentiating those partially completed from those totally complete) and “Reparations pending compliance,” and
- the column: “public documents pursuant to Court Decision 1/19 of March 11, 2019.”

On the last point, it should be mentioned that, since mid-2019, the Court’s website has been publishing the information presented during the stage of monitoring compliance with Judgments that relates to the execution of the guarantees of non-repetition ordered in the Court’s Judgments, and also the *amicus curiae* briefs. In addition, the Court has also decided to publish information on the guarantees of non-repetition presented by “other sources” that are not parties to the international proceedings, or in expert opinions pursuant to the application of Article 69(2) of the Court’s Rules of Procedure.⁸⁴ This is because the Court adopted Decision 1/19 on “Clarifications on the publication of information contained in the files of cases at the stage of monitoring compliance with Judgment,” in which it emphasized, among other matters, that compliance with its Judgments could benefit from the involvement of organs, human rights organizations, and domestic courts that, under their terms of reference, could require the corresponding public authorities to execute the measures of reparation ordered in the Judgments, in particular, the guarantees of non-repetition. To this end, it is essential that the Court provide access to information on the implementation of this type of measure of reparation.

During 2022, the Court continued to update the information on the said table on its website, which allows the different users of the Inter-American System to have a simple and flexible tool to consult and to learn about the reparations that the Court is monitoring and those that have already been executed by the States, and to obtain updated information on the implementation status of the guarantees of non-repetition.

In the course of 2022, the Inter-American Court held **21 hearings in 26 cases at the stage of monitoring compliance:**

- **17 hearings** were held to receive updated and detailed information from the States concerned on implementation of the measures of reparation ordered, together with the observations of the victims’ representatives and the Inter-American Commission. Six of the hearings were virtual and eleven in-person. Fourteen of the hearings were private, while the other three were public. One of the hearings was held to jointly monitor three cases concerning El Salvador,⁸⁵ while the other 16

84 Article 69(2) of the Court’s Rules of Procedure establishes: “The Court may require relevant information on the case from other sources of information in order to evaluate compliance. To that end, it may also request the expert opinions or reports it considers appropriate.”

85 Joint public hearing for the Cases of the Serrano Cruz Sisters, Contreras et al., and Rochac Hernández et al. v. El Salvador, on monitoring compliance with Judgments, held virtually.

hearings monitored individual cases concerning Argentina,⁸⁶ Ecuador,⁸⁷ Guatemala,⁸⁸ Honduras,⁸⁹ Paraguay,⁹⁰ Peru⁹¹ and Uruguay.⁹² Five of the hearings involving cases concerning Argentina and the hearing in the case concerning Uruguay were held in the territory of the respective State.

- **1 hearing** was held on a request for Provisional Measures presented in two cases regarding Peru⁹³ that are at the stage of monitoring compliance with Judgment. That hearing was held virtually and was public.
- **1 hearing** was held to receive information and observations on the implementation of the Provisional Measures and the State's request to lift them, in a case regarding Panama⁹⁴ that is at the stage of monitoring compliance with Judgment. This hearing was private and held in the territory of the State.
- **1 hearing** was held to receive information and observations on the implementation of the Provisional Measures and the State's request to lift them, and also on monitoring compliance with the obligation to investigate, prosecute and, as appropriate, punish those responsible in two cases regarding Guatemala.⁹⁵
- **1 hearing** was held on a request for Provisional Measures presented in six cases regarding Guatemala⁹⁶ that are at the stage of monitoring compliance with Judgment. The hearing was held virtually and was private.

Regarding orders on monitoring compliance with Judgment, during 2022, the Court or its President issued **58 orders**. Of these, **47 orders** were issued by the Court to monitor compliance with Judgments delivered in **56 cases**⁹⁷ and to monitor the implementation of the Provisional Measures ordered in one case. The other **11 orders** were issued by the President of the Court: one of them to require urgent measures in a case at the monitoring stage, which was subsequently ratified by the Court as Provisional Measures, and **10 orders** declaring compliance with the reimbursements to the Victims' Legal Assistance Fund required by the Court in its Judgments or orders.

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- 86 Private hearings on monitoring compliance for: Cases of Mendoza et al., Bulacio, Fernández Prieto and Tumbeiro, Torres Millacura et al. and López et al. v. Argentina, held in person during the visit of the Court's delegation to Buenos Aires Argentina, and Private hearings on monitoring compliance for: Cases of Mendoza et al., Bulacio, and Torres Millacura, held virtually as a follow-up to the hearings held during that visit.
- 87 Public hearing on monitoring compliance for: Case of Tibi v. Ecuador, held virtually.
- 88 Private hearings on monitoring compliance for: Cases of the Human Rights Defender, and Bámaca Velásquez v. Guatemala, held virtually, and Public hearing on monitoring compliance for: Case of Molina Theissen v. Guatemala, held virtually.
- 89 Private hearing on Monitoring Compliance for: Case of Pacheco León et al. v. Honduras, held virtually.
- 90 Private hearing on Monitoring Compliance for: Case of the Yaky Axa Indigenous Community v. Paraguay, held virtually.
- 91 Private hearing on Monitoring Compliance for: Case of J. v. Peru, held virtually.
- 92 Private hearing on Monitoring Compliance for: Case of Gelman v. Uruguay, held in person in Colonia, Uruguay, during the Court's 153rd special session, which took place in that country.
- 93 Public hearing on the request for Provisional Measures in the Cases of Barrios Altos, and La Cantuta v. Peru.
- 94 Private hearing to monitor the implementation of Provisional Measures in the Case of Vélez Loo v. Panama.
- 95 Private hearing on Provisional Measures and Monitoring Compliance in the Cases of Ruiz Fuentes et al., and Valenzuela Ávila v. Guatemala.
- 96 Private hearing on the request for Provisional Measures in the Cases of Bámaca Velásquez, Maritza Urrutia, the Plan de Sánchez Massacre, Chitay Nech et al., the Río Negro Massacres, and Gudiel Álvarez et al. ("Diario Militar") v. Guatemala, held virtually.
- 97 In order to: assess the degree of compliance with the reparations ordered; request detailed information on the measures taken to comply with certain measures of reparation; urge the States to comply and guide them on compliance with the measures of reparation ordered; give instruction for compliance, and clarify aspects on which there was a dispute between the parties regarding the execution of the reparations, all of this in order to ensure full and effective implementation of its decisions.

The orders on monitoring compliance with Judgment issued by the Court in 2022 had different contents and purposes:

- To monitor compliance in individual cases of all or several reparations ordered in a Judgment,⁹⁸ as well as reimbursement of the Victims' Legal Assistance Fund of the Court;
- To close two cases following full compliance with the reparations ordered;
- To rule on six requests for Provisional Measures presented in relation to twelve cases at the stage of monitoring compliance with Judgment and, as appropriate, to monitor the measures of reparation that those requests refer to;
- To monitor the implementation of the Provisional Measures ordered in one case at the stage of monitoring compliance with Judgment.

In addition to monitoring by these orders and hearings, during 2022, the Commission and the parties were asked to provide information or observations in notes sent by the Court's Secretariat, on the instructions of the Court or its President, in 176 cases at the stage of monitoring compliance with Judgment.

In 2022, the Court received 426 reports and attachments from the States in 183 cases at the stage of monitoring compliance with Judgment. Additionally, over the course of the year, the Court received 483 briefs with observations from either the victims or their legal representatives, or from the Inter-American Commission in 180 cases at the stage of monitoring compliance with Judgment. All these briefs were promptly forwarded to the parties.

Also, during 2022, the Court continued to implement the mechanism of joint monitoring with regard to the following measures of reparation:

- The adaptation of domestic law with regard to the right to appeal a Judgment before a higher judge or court in two cases against Argentina;
- The provision of medical and psychological treatment to the victims in nine cases against Colombia;
- The search for the whereabouts or identification of remains in six cases against Colombia;
- Guarantees of non-repetition addressed at the search for the whereabouts of missing children in three cases against El Salvador;
- The obligation to investigate, prosecute and punish, as appropriate, those responsible for gross human rights violations in 14 cases against Guatemala;
- Guarantees of non-repetition addressed at the investigation with due diligence of femicide and other crimes of violence against women, as well as to prevent and eradicate gender-based discrimination against women in two cases against Guatemala;
- Guarantees of non-repetition in relation to creating the conditions to ensure the fundamental rights of prison inmates, ordered in two cases against Honduras;

⁹⁸ In 2022, the Court declared full compliance and partial compliance or progress in compliance in the case of 78 measures of reparation. It also declared that the monitoring of 2 reparations had concluded.

- Measures to guarantee the use and enjoyment of the traditional lands of two Garifuna communities and to create appropriate mechanisms to regulate the land registration system in order to avoid violations of rural property, in two cases against Honduras;
- The adaptation of domestic law to international standards and those of the Convention with regard to the guarantee of an ordinary judge in relation to the military criminal Jurisdiction in four cases against Mexico;
- Guarantees of non-repetition addressed at investigating and providing attention in Cases of sexual violence against women with due diligence and with a gender and ethnic perspective, in two cases against Mexico;
- The payment of compensation and/or reimbursement of costs and expenses in five cases against Peru in which these are the only measures pending;
- The search for the whereabouts of disappeared persons or the identification of their remains in eleven cases against Peru;
- The measures relating to providing scholarships in seven cases against Peru, and
- The obligation to investigate, prosecute and punish those responsible for gross human rights violations in two cases against Peru, specifically in relation to the pardon granted “on humanitarian grounds” to Alberto Fujimori Fujimori, who had been found criminally responsible for the gross violations in those cases.

B. Visits and hearings concerning cases at the stage of monitoring compliance with Judgment during 2022

During 2022, the Inter-American Court held 21 hearings in 26 cases at the stage of monitoring compliance. Of these, 7 private hearings were held in person away from the Court’s seat, in the territory of the States responsible for the violations declared in the Judgments. Those hearings were held in Panama, Uruguay and Argentina. The other 14 hearings were held virtually during the Court’s Regular Sessions; of these, 10 were private and 4 were public.

B.1. Visits and hearings in the territory of the responsible States

Starting in 2015, the Court has implemented the important initiative of conducting visits and holding hearings on monitoring compliance in the territory of the responsible States. However, this requires the acquiescence of those States. This type of procedure has the advantage of enabling the Court to directly ascertain conditions in relation to the execution of the measures, as well as ensuring greater participation for the victims, their representatives, and the different state officials and authorities directly responsible for executing the diverse reparations ordered in the Judgment, and an increased willingness to make commitments addressed at the prompt execution of the reparations. It also provides an opportunity to establish direct talks between the parties in order to obtain specific commitments. In addition, these activities in the territory of the responsible States represent an opportunity for the Court to hold meetings with different state authorities in order to contribute to compliance with its decisions.

These procedures can be conducted during Sessions held by the Court away from its seat or during visits to the States made by the Court, a delegation from the Court, or a judge, in order to monitor compliance with Judgments.

Between 2015 and 2019 it was possible to conduct procedures and hearings in Argentina, Costa Rica, Colombia, El Salvador, Guatemala, Honduras, Mexico, Panama and Paraguay,⁹⁹ based on significant collaboration by those States. During 2020 and 2021, this type of activity had to be suspended because of travel restrictions due to the COVID-19 pandemic.

In 2022, the Court received the consent and collaboration of the States of Panama, Uruguay and Argentina to conduct monitoring activities in their territory.

B.1.i PANAMA: On-site visit and hearing to monitor the implementation of Provisional Measures in the Case of Vélez Loor



• Background to the implementation of the Provisional Measures

On March 16, 17 and 18, 2022, a delegation from the Inter-American Court conducted an on-site visit and held a private hearing in Panama to monitor the Provisional Measures required by the Court in an order of July 29, 2020, and also to obtain the necessary information to rule on the State's request to lift the measures. The measures had been ordered to provide effective protection to the rights to health, personal integrity and life of individuals in the La Peñita and Lajas Blancas Migrant Reception Centers in the province of Darién, Republic of Panama. Specifically, the Court ordered Panama to "ensure, immediately and effectively, access to essential health services, without discrimination, for all those in the [said] Migrant Reception Centers, [...] including early detection and treatment of COVID-19."

⁹⁹ In 2015, a visit and a hearing took place in Panama, in the territory of the Ipetí and Piriati Communities of the Emberá of Bayano, on monitoring compliance with the Judgment in the Case of the Emberá of Bayano. That same year, a hearing was held in Honduras to monitor, jointly, compliance with the Judgments in six cases relating to: (i) prison conditions; training for officials, and record of persons detained; (ii) protection of human rights defenders, particularly environmental defenders, and (iii) obligation to investigate, prosecute and punish, as appropriate, the human rights violations. In 2016, the Court held two monitoring hearings in Mexico in relation to the Cases of Radilla Pacheco, and of Cabrera García and Montiel Flores. In 2017, on-site visits were made in Guatemala in relation to the Cases of the Plan de Sánchez, and Río Negro Massacres and, in Paraguay, visits were made to the Yakyé Axa, Sawhoyamaya and Xákmok Kásek indigenous communities, and monitoring hearings on those three cases, and also the Case of the Juvenile Re-education Institute, were held in Asunción. In 2018, an on-site visit was made to El Salvador in relation to the Case of the Massacres of El Mozote and neighboring places, together with a procedure in the Court in charge of the criminal investigation. In 2019, hearings on monitoring compliance were held in Argentina and Colombia; the Court also visited a new health center of the Costa Rican Social Security Institute that provides IVF treatment.

The Court's delegation for the visit and hearing was composed of the President of the Court, Judge Ricardo C. Pérez Manrique, the Vice President at the time, Judge Humberto Antonio Sierra Porto, and Judge Nancy Hernández López. In addition, the Court's Registrar, Pablo Saavedra Alessandri, the Deputy Registrar, Romina I. Sijniensky, and the Adviser to the President formed part of the delegation.

- **On-site visit to the province of Darién**

On March 17, 2022, the Court delegation visited the province of Darién to verify, on-site and directly, the level of implementation of the Provisional Measures. A large State delegation took part in this visit, including senior officials of several ministries and public institutions that were relevant for implementation of the measures. Participants included: the Vice Minister for Foreign Affairs, the Minister of Public Security, the Minister of Health, the adviser to the Vice Minister for Foreign Affairs, the Director and Deputy Director of International Legal Affairs and Treaties of the Ministry of Foreign Affairs, the Director of the National Border Service, the Director of the National Migration Service, the National Director of International Affairs and Technical Cooperation of the Ministry of Health, and the First Prosecutor for Organized Crime. In addition, a lawyer from the IACHR Secretariat and CEJIL lawyers also participated, on behalf of the beneficiaries. Furthermore, in application of Article 27(8) of the Court's Rules of Procedure, the participation of the Panamanian Ombudsman was requested as a source of information other than that provided by the State as a party to the proceedings.

The Court's delegation visited:

- The receiving community of Bajo Chiquito, which is one of the places migrants entering Panama reach after enduring great hardships while crossing the Darién Gap on the border between Colombia and Panama.
- The Lajas Blancas Migrant Reception Center set up by the State while the Provisional Measures were in force to accommodate those suffering from COVID-19 and those suspected of having been infected in different areas.
- The San Vicente Migrant Reception Center, which was inaugurated by the State while the measures were in force to accommodate some of the migrants who enter Panama through the Darién Gap.

In addition, during these visits, the Court's delegation was able to ask pertinent questions and interview migrants from different countries. It also observed the fundamental work and cooperation provided by the different United Nations agencies and other international organizations in the area.

Hearing on implementation of Provisional Measures

On March 18, 2022, a private hearing was held in Panama City on implementation of the Provisional Measures and the State's request to lift them. The purpose of the hearing was to enable the State, the beneficiaries' representatives, the Commission and the Panamanian Ombudsman – the latter as "other sources of information" under Article 27(8) of the Court's Rules of Procedure – to refer to and to supplement the information received during the previous day's visits.

Official meetings

In addition to the jurisdictional activities, the Court's delegation held a formal meeting with the Minister and the Vice Minister for Foreign Affairs. The delegation also met with the President and the Vice President of the Supreme Court of Justice, as well as the President of the Third Administrative and Labor Chamber.

B.1.ii URUGUAY

1. Hearing in the Case of Gelman v. Uruguay



On October 20, 2022, during the 153rd Regular Session which took place in Uruguay, the Court held a private hearing on monitoring compliance with Judgment in the Case of Gelman v. Uruguay. The purpose was to receive from the State updated information on compliance with seven measures of reparation that remained pending in that case: the obligation to investigate, prosecute and, eventually, punish those responsible for the facts of the case; the search for and discovery of the whereabouts of María Claudia García Iruretagoyena, or her mortal remains, and also various guarantees of non-repetition, inter alia: the guarantee that the Law on the Expiry of the Punitive Claims of the State will never again represent an obstacle to the investigation of gross human rights violations committed during the dictatorship; the implementation of a permanent program of human rights training for agents of the Public Prosecution Service and judges of the Uruguayan Judiciary; the adoption of pertinent measures to guarantee technical and systematized access to information on the gross human rights violations that took place during the dictatorship contained in the State's archives; the creation of an "Interministerial committee responsible for expediting the investigations to clarify the fate of

those who disappeared between 1973 and 1985, and the adoption of a protocol for the collection and identification of the remains of disappeared persons. The purpose of the hearing was also to receive the observations of the victims' representatives and the opinion of the Inter-American Commission in this regard.

Additionally, in application of Article 69(2) of the Court's Rules of Procedure, the National Human Rights Institution and Uruguayan Ombudsman's Office (INDDHH) provided an oral report during the hearing in which it presented information it considered relevant, within its terms of reference, on its contribution to compliance with the reparations ordered in this case in relation to the search for and discovery of María Claudia García or her mortal remains and to guarantee technical and systematized access to information on the gross human rights violations that took place during the dictatorship contained in the State's archives.

2. Meeting in the Case of Barbani Duarte et al. v. Uruguay

On October 11, 2022, during the 153rd Regular Session which took place in Uruguay, delegated by the Court, Judge Patricia Pérez Goldberg held a private meeting with the State of Uruguay and members of the arbitration tribunal to try and reach an agreement on the fees that the latter would receive for the executing the work assigned by the Inter-American Court. Following up on this meeting, Judge Pérez Goldberg subsequently held a virtual meeting on December 12, 2022, during which an agreement was reached.

B.1.iii ARGENTINA: Hearings and meetings on Compliance with Judgments

From October 24 to 26, 2022, delegated by the Court, Judge Nancy Hernández López visited Buenos Aires, Argentina, to hold private hearings on monitoring compliance with Judgments, to meet with different state authorities, and to take part in academic activities. Judge Hernández López was accompanied by the Registrar of the Court and the Coordinator of the Secretariat's Unit for monitoring compliance with Judgments.



- Hearings on monitoring compliance with Judgments

From October 24 to 26, 2022, five private hearings on monitoring compliance with Judgments were held in the following cases concerning Argentina: Mendoza et al., Bulacio, Fernández Prieto and Tumbeiro, Torres Millacura et al., and López et al. These took place at the headquarters of the National Memory Archive, located in the Space for the Memory and for the Promotion and Defense of Human Rights (formerly ESMA).

1. Case of Mendoza et al. v. Argentina

During the hearing held on October 24, 2022, nine of the reparations ordered in the Judgment were monitored. These included: measures of health rehabilitation, and educational or formal training opportunities for the victims, and also several guarantees of non-repetition related to adaptation of the Argentine juvenile criminal regime to international standards, so that the provisions of Law No. 22,278 on the determination of criminal sanctions for children, which were contrary to the American Convention and the Convention on the Rights of the Child, are no longer in force; design and implementation of public policies for the prevention of juvenile crime; dissemination of the rights of the child, and implementation of human rights training programs for prison personnel and judges with competence for offenses committed by children.

During the hearing, the victim, Lucas Matías Mendoza, was heard in person and he described his requests concerning implementation of the measures of reparation ordered in his favor. Public defenders from the Public Defense Service, who represent the victims in the international proceedings also took part in the hearing, together with lawyers from the Executive Secretariat of the Inter-American Commission. The State was represented by a delegation that included authorities and officials from the Ministry of Foreign Affairs, International Trade and Worship, and the National Human Rights Secretariat.

At the end of the hearing, Judge Hernández López called the parties to a virtual private hearing on November 25, 2022, in order to provide a more continuous follow-up to some of the reparations being monitored and to obtain additional information that the State offered to provide.

2. Case of Bulacio v. Argentina

During the hearing held on October 24, 2022, compliance was monitored with the guarantee of non-repetition relating to the adaptation of domestic law to the standards of the Convention on issues related to arrests without a court order or a situation of flagrante delicto, and to detention conditions, particularly of children.

The Centro de Estudios Legales y Sociales (CELS) took part in the hearing in its capacity as the representative of the victims. Lawyers from the Executive Secretariat of the Inter-American Commission also participated. The State was represented by authorities and officials from the Ministry of Foreign Affairs, International Trade and Worship, the National Human Rights Secretariat, and the Ministry of Security.

At the end of the hearing, Judge Hernández López called the parties to a virtual private hearing on November 25, 2022, in order to provide a more continuous follow-up to the implementation of the said guarantee of non-repetition and to obtain additional information that the State offered to provide. Also, to know the results of the meeting that the State would soon be holding with the victims' representatives on actions to be taken to comply with this measure.

3. Case of Fernández Prieto and Tumbeiro v. Argentina

During the hearing held on October 24, 2022, three guarantees of non-repetition were monitored. They related to: the adaption of domestic laws that permit stopping and searching vehicles, or body searches, without a court order to the relevant standards of the Convention; the preparation and publication of

statistics on arrests and searches, and human rights training for the Police, the Public Prosecution Service and the Judiciary.

Public defenders from the National Public Defense Service, who provide the victims with legal representation in the international proceedings, took part in the hearing. Lawyers from the Executive Secretariat of the Inter-American Commission also participated. The State was represented by authorities and officials from the Ministry of Foreign Affairs, International Trade and Worship, the National Human Rights Secretariat, and the Ministry of Security.

4. Case of Torres Millacura et al. v. Argentina

During the hearing held on October 24, 2022, four measures of reparation ordered in the Judgment were monitored, including: the obligation to investigate, prosecute and punish, as appropriate, those responsible for the facts of the case and to conduct an effective search for Mr. Torres Millacura, whose whereabouts have been unknown for the past 19 years.

The victims, María Millacura and Fabiola Valeria Torres, respectively mother and sister of Iván Torres Millacura, were heard in person during the hearing. They expressed their views on compliance with the reparations, fundamentally demanding a search for the whereabouts of Iván Torres Millacura. The victims' representative, Alejandra Gonza from Global Rights Advocacy also took part in the hearing and validated the presence of lawyers from the Colectivo Yopoi and the National Public Defense Service. Lawyers from the Executive Secretariat of the Inter-American Commission also participated. The State was represented by authorities and officials from the Ministry of Foreign Affairs, International Trade and Worship, the National Human Rights Secretariat, and the Ministry of Security.

Following the hearing, the judge called the parties to a virtual private hearing on November 25, 2022, in order to provide a more continuous follow-up on the reparation concerning the search for the whereabouts of Iván Torres.

5. Case of López et al. v. Argentina

During the hearing held on October 26, 2022, two measures of reparation ordered in the Judgment were monitored, one of which was the guarantee of non-repetition related to the State's obligation to adopt administrative, legislative or judicial measures to regulate the transfer of prisoners who have been convicted in keeping with the American Convention and the treaty-based standards described in the Judgment.

Gustavo L. Vítale and Fernando Luis Diez, the victims' legal representatives in the international proceedings took part in the hearing. Lawyers from the Executive Secretariat of the Inter-American Commission also participated. The State was represented by authorities and officials from the Ministry of Foreign Affairs, International Trade and Worship, the National Human Rights Secretariat, and the Under-Secretariat for Prison Affairs of the Ministry of Justice and Human Rights.

- Meeting in the National Congress



On October 25, 2022, a meeting was held in the Argentine National Congress during which the delegation from the Inter-American Court were able to converse with a group of senators on the implementation of seven guarantees of non-repetition that involve the adoption of domestic laws or their amendment ordered in the Judgments in the Cases of Bulacio, Fornerón and daughter, Mendoza et al., López et al., Indigenous Communities of the Lhaka Honhat Association, and Fernández Prieto and Tumbeiro.¹⁰⁰ This meeting was the first occasion on which members of the Inter-American Court and its Secretariat have been received by members of a State legislature to discuss compliance with specific reparations ordered by the international Court.

Among others, the meeting was attended by Senator Óscar Isidro Parilli, President of the Senate Justice and Criminal Affairs Committee; Martín Fresneda, Director of the Senate Human Rights Observatory, and a group of senators who make up the Senate's Rights and Guarantees Committee, and its Justice and Criminal Affairs Committee, as well as various Senate authorities.

¹⁰⁰ These guarantees of non-repetition relate to adaptation of domestic law to the parameters of the Convention on issues such as: the detention of children without a court order or a situation of flagrante delicto; detention conditions of children; reforms to the criminal regime for minors; classification of the sale of children as a crime; arrests and searches; the guarantee of the right to appeal a Judgment before a high judge or court; the right to indigenous community property, and regulation of the place for serving a sentence and transfers of prisoners who have been convicted to places that allow contact with their families, lawyers and judges responsible for execution of sentence to be guaranteed.

The work already executed by the Senate Human Rights Observatory is particularly important by identifying the reparations ordered by the Inter-American Court and promoting compliance with them, particularly in the Cases of Fornerón and Lhaka Honhat.

During the meeting, both Judge Hernández López and the members of the National Congress emphasized the importance of the Executive's bill to classify the sale of children as a crime. This is currently being processed by the legislature and relates to compliance with a guarantee of non-repetition ordered in the Case of Fornerón and daughter. In addition, the relevance for compliance with the Judgment in several Cases of the implementation of article 358 of the Federal Code of Criminal Procedure was highlighted. This establishes causes for contesting a criminal conviction in order to guarantee the right to appeal the Judgment before a higher judge or court.

- Meeting with the Public Prosecution Service



On October 25, 2022, a meeting was held with the Public Prosecution Service during which the Court's delegation was received by the Attorney General a.i., Eduardo Ezequiel Casal, and was able to converse with authorities and officials of the Public Prosecution Service and the prosecutors assigned to investigations and proceedings addressed at the identification of those responsible for human rights violations to the detriment of the victims in the Cases of Garrido and Baigorria, Torres Millacura et al., and Acosta Martínez et al., as well as in relation to the search for the whereabouts of the victims of forced disappearance in the first two cases.

The following officials, among others, took part in the meeting: the Attorney General a.i., Eduardo Ezequiel Casal; Juan Manuel Olima Espel, Secretary for Institutional Coordination of the Attorney General's Office; the Head and the secretaries of the Office for the Prosecution of Institutional Violence (PROCUVIN), Alberto Adrián María Gentili, Emiliano Decanini and Gabriel Laino, and the assistant prosecutor of the 10th National Criminal and Correctional Prosecutor's Office, Juan José Taboada Areu. In addition, the following officials took part in the meeting virtually: the head of the 2nd Federal Prosecutor's Office of Mendoza, Fernando Gabriel Alcaraz Miguez, and the substitute prosecutors of the Federal Prosecutor's Office and

of the Prosecutor General's Office before the Federal Oral Court of Comodoro Rivadavia, Silvina Ávila and Mariano Sánchez, respectively. The State's deputy agent for cases before the Court, Gabriela Kletzel, Director of International Legal Affairs involving Human Rights of the National Human Rights Secretariat also attended the meeting.

The Court's delegation underscored the importance of this type of meeting, as well as the progress made in the investigations, and expressed its gratitude for the willingness of the institution to continue working in conjunction with the Inter-American Court and with the other state entities involved in the investigation and prosecution of the human rights violations committed in those three cases, as well as in the search for the whereabouts of the victims of the forced disappearances perpetrated in 1990 and 2003, of Garrido and Baigorria, and of Torres Millacura, respectively.

- **Meeting with the Children's Ombudsperson**

The Judge held a meeting with Marisa Graham, Children's Ombudsperson, and Facundo Hernández, Deputy Ombudsperson. A general discussion was held on the work of protection and promotion carried out by that national institution, as well as on the role that it could play – within its terms of reference – in the implementation of the guarantees of non-repetition that are pending compliance in cases involving Argentina, above all the adaptation of domestic law concerning the rights of the child.

- **Official meetings**

During the visit, Judge Hernández López also held official meetings with the Secretary for Human Rights, Horacio Pietragalla Corti, and with the Secretary for Foreign Affairs, Pablo Anselmo Tettamanti.

- **Other activities**

On October 26, 2022, Judge Hernández López and the Coordinator of the Secretariat's Unit for monitoring compliance with Judgments met with Remo Carlotto, Executive Director of the MERCOSUR Institute for Public Policies on Human Rights, and Javier Palummo, Head of the Institute's Research and Information Management Department. Based on the Institute's focus on strengthening public policies on human rights and its goals in this regard, during the meeting an initial approach was made to possible lines of cooperation with the Court and the States involving training aimed at compliance with the reparations ordered by the Court that call for the implementation of public policies.

The visit also allowed the Court's delegation to take part in an academic activity,¹⁰¹ and make a guided visit to the Museum and Site of Memory ESMA, located in the building in which the Clandestine Center of Detention, Torture and Extermination of the Naval School of Mechanical Engineering (ESMA) functioned from 1976 to 1983.

¹⁰¹ Seminar on persons deprived of liberty: challenges for criminal justice in relation to the standards of the IACtHR, organized by the Inter-American Court, together with the Public Defense Service and the Federal Criminal Cassation Chamber. The Court was represented by Judge Nancy Hernández López, the Registrar Pablo Saavedra Alessandri and the Deputy Registrar Romina I. Sijniensky.

B.2. Virtual hearings

1. Joint hearing for the Cases of Barrios Altos and La Cantuta v. Peru

On April 1, 2022, during its 147th Regular Session, the Court held a public hearing on the request for Provisional Measures presented by the representatives of the victims in the Cases of Barrios Altos and La Cantuta, who asked the Court to require the State “to refrain from adopting measures aimed at guaranteeing the impunity of the persons convicted in these cases” and that “[i]f [the State] ordered the release of [Alberto] Fujimori Fujimori, [the Court] should issue a decision establishing that this was null and void based on its Case Law and the decision of May 30, 2018, in the cases in reference.” The hearing was held to obtain information from the victims’ representatives on the request for Provisional Measures and to receive the corresponding information and observations of the State and the opinion of the IACHR, in order to provide the Court with more evidence on which to rule.

2. Case of the Yakye Axa Indigenous Community v. Paraguay

On April 7, 2022, during its 147th Regular Session, the Court held a private hearing on monitoring compliance with Judgment. The hearing was held to receive information from the State on compliance with two measures of reparation. Regarding the reparation concerning the handing over of traditional territory to the members of the Yakye Axa Indigenous Community, updated information was requested on: the titling of the alternative lands in favor of the Community; the progress made or the conclusion of the construction of the access road to the alternative lands, including the work schedule, the availability of budgetary resources, and the date set to guarantee that everything necessary has been accomplished for the Yakye Axa Community to be able to settle on those lands. In addition, updated information was requested on the provision of the necessary basic goods and services for the subsistence of the members of the community while they are landless. The purpose of the hearing was also to receive the corresponding observations of the victims’ representatives and opinion of the IACHR.

3. Case of the Human Rights Defender et al. v. Guatemala

On April 7, 2022, during its 147th Regular Session, the Court held a private hearing on monitoring compliance with Judgment. The hearing was held to receive updated information from the State on compliance with the measures of reparation relating to: individualize, identify and punish, as appropriate, the masterminds and perpetrators of the facts related to the death of A.A., and the threats suffered by his family members, and examine possible investigative and procedural irregularities related to the facts and, as appropriate, sanction the conduct of the corresponding public servants; provide the psychological or psychiatric treatment that the victims require, and present annual reports on the actions taken to implement, within a reasonable time, an effective public policy for the protection of human rights defenders. The purpose of the hearing was also to receive the corresponding observations of the victims’ representatives and opinion of the IACHR.

4. Case of Bámaca Velásquez v. Guatemala

On May 24, 2022, during its 148th Regular Session, the Court held a private hearing on monitoring compliance with Judgment. The hearing was held to receive updated information from the State on

compliance with the measures of reparation relating to: locate, identify and return the remains of Efraín Bámaca Velásquez; investigate the facts that gave rise to the violations in this case, identify and, as appropriate, punish those responsible, and adopt the necessary legislative or other measures to adapt Guatemalan laws to international human rights laws and humanitarian law, and to give full effect to those laws in the domestic sphere, pursuant to Article 2 of the American Convention on Human Rights. The purpose of the hearing was also to receive the corresponding observations of the victims' representatives and opinion of the IACHR.

5. Case of Pacheco León et al. v. Honduras

On May 24, 2022, during its 148th Regular Session, the Court held a private hearing on monitoring compliance with Judgment. The hearing was held to receive updated information from the State on compliance with the measures of reparation relating to: (a) continue the investigation in order to individualize, prosecute and punish, as appropriate, those responsible for the facts of this case, and investigate, through the competent public entities, the reasons for the procedural delay in the case and, if pertinent, the officials involved in the investigation and, following due proceedings, apply the corresponding administrative, disciplinary or criminal sanctions to those found responsible; (b) establish a protocol for a diligent investigation, and (c) set up a mandatory permanent human rights training program or course for officials that includes, among other topics, standards for a diligent investigation and technical aspects in Cases of politically-motivated murders, in order to prevent facts such as those that occurred in this case being repeated and constituting elements that perpetuate impunity.

The purpose of the hearing was also to receive the corresponding observations of the victims' representatives and opinion of the IACHR.

6. Joint hearing for the Cases of Ruiz Fuentes et al., and Valenzuela Ávila v. Guatemala

On May 24, 2022, during its 148th Regular Session, the Court held a joint private hearing for these two Guatemalan cases at the stage of monitoring compliance with Judgment. The hearing was held to receive information and observations on the implementation of the provisions measures and the State's request to lift them, as well as on monitoring compliance with the obligation to investigate, prosecute and punish, as appropriate, those responsible for the violations committed to the detriment of Hugo Humberto Ruiz Fuentes and Tirso Román Valenzuela.

7. Joint hearing for the Cases of Bámaca Velásquez, Maritza Urrutia, Plan de Sánchez Massacre, Chitay Nech et al., Río Negro Massacres, and Gudiel Álvarez et al. ("Diario Militar") v. Guatemala

On September 6, 2022, during its 151st Regular Session, the Court held a joint private hearing for six Guatemalan cases at the stage of monitoring compliance with Judgment. The hearing was convened by the President of the Inter-American Court in his order on urgent measures adopted on July 11, 2022, so that "the Court [could] obtain further information before ruling on the request for Provisional Measures" presented by the victims' representatives in these six cases in favor of Elena Gregoria Sut Ren, head prosecutor of the Guatemalan Human Rights Prosecution Service and her family, and also to receive the corresponding observations of the victims' representatives and opinion of the IACHR.

8. Joint hearing for the Cases of the Serrano Cruz Sisters, Contreras et al., and Rochac Hernández et al. v. El Salvador

On October 6, 2022, during its 152nd Regular Session, the Court held a private hearing on monitoring compliance with Judgment. The hearing was divided into two parts.

The purpose of the first part was to receive updated information from the State on compliance with the guarantees of non-repetition relating to: (i) the functioning of a national commission to search for young people who disappeared when they were children during the internal conflict, and participation of civil society; (ii) the creation of a genetic information system that allows genetic data to be obtained and conserved and that will help to clarify and determine the filiation of the disappeared children and their family members, and their identification, and (iii) the adoption of pertinent and satisfactory measures to guarantee to agents of justice, and to Salvadoran society, the public, technical and systematized access to the archives that contain useful and relevant information for the investigation of cases opened into human rights violations during the armed conflict.

The second part of the hearing concerned compliance with the measures of reparation relating to the search for the whereabouts and obligation to investigate: to conduct a genuine search for the victims who disappeared during the armed conflict when they were children, in which every effort is made to determine their whereabouts, as well as to adopt the appropriate measures to restore their identity, and to investigate the facts in order to identify, prosecute and punish, as appropriate, all those responsible for the forced disappearance of the victims in the three cases.

9. Case of J. v. Peru

On October 6, 2022, during its 152nd Regular Session, the Court held a private hearing on monitoring compliance with Judgment. The hearing was held to receive updated information from the State on compliance with the Measures of Reparation ordered in the Judgment relating to: open and conduct effectively the criminal investigation into the acts that violated the personal integrity of J., to determine the possible criminal responsibilities and, as appropriate, effectively apply the sanctions and consequences established by law; deliver to J. the amount established for the concept of expenses due to psychological or psychiatric treatment, so that she may receive this care in her place of residence; ensure that, in the proceedings against J., all the requirements of due process of law are observed, with full guarantees of a hearing and defense for the accused; pay the amounts established as compensation for pecuniary and non-pecuniary damage, and reimburse the sums established for costs and expenses. The purpose of the hearing was also to receive the corresponding observations of the victims' representatives and opinion of the IACHR.

10. Case of Molina Theissen v. Guatemala

On November 24, 2022, during its 154th Regular Session, the Court held a private hearing on monitoring compliance with Judgment. The hearing was held to receive updated information from the State on compliance with the measures of reparation relating to: locate and return the mortal remains of Marco Antonio Molina Theissen to his family; investigate the facts of the case effectively in order to identify, prosecute and punish the masterminds and perpetrators of the forced disappearance of Marco Antonio Molina Theissen; establish an expeditious procedure that

allows a declaration of absence and presumption of death due to forced disappearance to be obtained, and adopt the necessary administrative, legislative and any other measures to create a system of genetic information that permits clarifying and determining the filiation of disappeared children and their identification. The purpose of the hearing was also to receive the corresponding observations of the victims' representatives and opinion of the IACHR.

11. Case of Tibi v. Ecuador

On November 24, 2022, during its 154th Regular Session, the Court held a virtual private hearing on monitoring compliance with Judgment. The hearing was held to receive updated information from the State on compliance with two measures of reparation: investigate the facts of this case effectively in order to identify, prosecute and punish all the perpetrators of the violations committed to the detriment of Daniel Tibi, and establish an education and training program for members of the judiciary, the Public Prosecution Service and police and prison personnel, including medical, psychiatric and psychological personnel, on the principles and norms for the protection of human rights in the treatment of prisoners. The purpose of the hearing was also to receive the corresponding observations of the victims' representatives and opinion of the IACHR.

12. Case of Bulacio v. Argentina (13) Case of Torres Millacura et al. v. Argentina and (14) Case of Mendoza et al.

On November 25, 2022, during the 154th Regular Session, delegated by the Court, Judge Nancy Hernández López held three virtual private hearings on monitoring compliance with Judgment in the Cases of Bulacio, Torres Millacura et al. and Mendoza et al., in order to ensure a continuous monitoring of the commitments made and actions described at the hearings held in October 2022 during the visit to Buenos Aires, Argentina, by the judge and officials of the Court's Secretariat.

A. Orders issued in cases at the stage of monitoring compliance with Judgment in 2022

In 2022, the Court or its President issued 58 orders in cases at the stage of monitoring compliance with Judgment. The 47 orders on monitoring compliance with Judgment adopted by the Court to monitor the implementation of all or several reparations ordered in the Judgment in each case are available [here](#). The other 11, concerning compliance with reimbursements to the Victims' Legal Assistance Fund are available [here](#), while those concerning the adoption of urgent measures issued by the President of the Court are available [here](#).

The orders are described below, in chronological order of issue, and in categories according to their content and purpose.

C.1 Orders on monitoring compliance with Judgment

Orders of the Court on monitoring compliance with Judgment:

1. Cases of Barrios Altos and La Cantuta v. Peru. Order of March 30, 2022.
2. Case of Moya Solís v. Peru. Order of April 5, 2022.
3. Case of Casa Nina v. Peru. Order of April 5, 2022.
4. Case of Ximenes Lopes v. Brazil. Order of April 5, 2022.
5. Case of Poblete Vilches et al. v. Chile. Order of April 5, 2022.
6. Case of Cuscul Pivaral et al. v. Guatemala. Order of April 5, 2022.
7. Case of Azul Rojas Marín et al. v. Peru. Order of April 5, 2022.
8. Case of Martínez Esquivia v. Colombia. Order of April 5, 2022.
9. Case of Carvajal Carvajal et al. v. Colombia. Order of April 5, 2022.
10. Case of the Ituango Massacres v. Colombia. Order of April 5, 2022.
11. Cases of Tarazona Arrieta et al., Canales Huapaya et al., Wong Ho Wing, Zegarra Marín, and Lagos del Campo v. Peru. Order of April 5, 2022.
12. Case of the Women Victims of Sexual Torture in Atenco v. Mexico. Order of April 5, 2022.
13. Case of Flor Freire v. Ecuador. Order of April 5, 2022.
14. Case of Rochac Hernández et al. v. El Salvador. Order of April 5, 2022.
15. Cases of Barrios Altos and La Cantuta v. Peru. Order of April 7, 2022.
16. Case of Pacheco León et al. v. Honduras. Order of May 12, 2022.
17. Case of V.R.P., V.P.C. et al. v. Nicaragua. Order of May 12, 2022.
18. Case of Jenkins v. Argentina. Order of May 12, 2022.
19. Case of Omeara Carrascal et al. v. Colombia. Order of May 12, 2022.
20. Case of Martínez Coronado v. Guatemala. Order of May 12, 2022.
21. Case of the La Rochela Massacre v. Colombia. Order of May 23, 2022.
22. Case of Vélez Loo v. Panama. Order of May 25, 2022. Provisional Measures.
23. Case of the Yakye Axa Indigenous Community v. Paraguay. Order of June 24, 2022.

24. Case of Radilla Pacheco v. Mexico. Order of June 24, 2022.
25. Case of Valenzuela Ávila v. Guatemala. Order of June 24, 2022.
26. Case of Urrutia Laubreaux v. Chile. Order of June 24, 2022.
27. Case of J. v. Peru. Order of June 24, 2022.
28. Case of Girón et al. v. Guatemala. Order of September 2, 2022.
29. Case of Coc Max et al. (Xamán Massacre) v. Guatemala. Order of September 2, 2022.
30. Case of Valle Ambrosio et al. v. Argentina. Order of September 2, 2022.
31. Case of Isaza Uribe et al. v. Colombia. Order of September 2, 2022.
32. Case of Palamara Iribarne v. Chile. Order of September 2, 2022.
33. Case of García Cruz and Sánchez Silvestre v. Mexico. Order of September 2, 2022.
34. Case of Kawas Fernández v. Honduras. Order of September 2, 2022.
35. Cases of Mendoza et al., Gorigoitia, and Valle Ambrosio et al. v. Argentina. Order of September 2, 2022.
36. Case of Ibsen Cárdenas and Ibsen Peña v. Bolivia. Order of September 9, 2022.
37. Case of Vicky Hernández et al. v. Honduras. Order of September 9, 2022.
38. Case of Gudiel Álvarez et al. ("Diario Militar") v. Guatemala. Order of September 9, 2022.
39. Case of the Dismissed Workers of Petroperu et al. v. Peru. Order of September 9, 2022.
40. Case of Fernández Prieto and Tumbeiro v. Argentina. Order of October 4, 2022.
41. Case of Romero Feris v. Argentina. Order of October 4, 2022.
42. Case of the Teachers of Chañaral and other municipalities v. Chile. Order of November 11, 2022.
43. Case of Quispialaya Vilcapoma v. Peru. Order of November 11, 2022.
44. Case of Carranza Alarcón v. Ecuador. Order of November 11, 2022.
45. Case of García and family members v. Guatemala. Order of November 22, 2022.
46. Case of Ruiz Fuentes et al. v. Guatemala. Order of November 22, 2022.
47. Cases of Bámaca Velásquez, Maritza Urrutia, Plan de Sánchez Massacre, Chitay Nech et al., Río Negro Massacres, and Gudiel Álvarez et al. ("Diario Militar") v. Guatemala. Order of November 22, 2022. Provisional Measures and monitoring compliance with Judgment.

Compliance with reimbursement of the Victims' Legal Assistance Fund

[Orders of the President on compliance with reimbursement to the Victims' Legal Assistance Fund]

1. Case of Guachalá Chimbó et al. v. Ecuador. Order of the President of April 21, 2022.
2. Case of Barbosa de Souza et al. v. Brazil. Order of the President of April 21, 2022.
3. Case of Jenkins v. Argentina. Order of the President of April 21, 2022.
4. Cases of Spoltore and Acosta Martínez et al. v. Argentina. Order of the President of December 16, 2022.
5. Case of Gonzales Lluy et al. v. Ecuador. Order of the President of December 16, 2022.
6. Case of Digna Ochoa and family v. Mexico. Order of the President of December 16, 2022.
7. Cases of Boyce et al. and DaCosta Cadogan v. Barbados. Order of the President of December 16, 2022.
8. Case of Bedoya Lima et al. v. Colombia. Order of the President of December 16, 2022.
9. Cases of Martínez Coronado, Ruiz Fuentes et al., Valenzuela Ávila, Rodríguez Revolorio et al., and Girón et al. v. Guatemala. Order of the President of December 19, 2022.

Adoption of Urgent Measures

[Orders of the President on adoption of Urgent Measures in cases at the stage of monitoring compliance in which a request for Provisional Measures was presented]

1. Case of Gudiel Álvarez et al. ("Diario Militar") v. Guatemala. Order of the President of July 8, 2022.
2. Cases of Bámaca Velásquez, Maritza Urrutia, Plan de Sánchez Massacre, Chitay Nech et al., Río Negro Massacres, and Gudiel Álvarez et al. ("Diario Militar") v. Guatemala. Order of the President of July 11, 2022.

D. Requests for Provisional Measures presented in cases at the stage of monitoring compliance with Judgment

During 2022, the Court ruled on the following 6 requests for Provisional Measures made by victims or their representatives in 12 cases at the stage of monitoring compliance with Judgment related to compliance with specific measures of reparation:

1. Case of J. v. Peru.
2. Cases of Barrios Altos and La Cantuta v. Peru.
3. Case of the Dismissed Workers of Petroperu et al. v. Peru.
4. Case of Gudiel Álvarez et al. ("Diario Militar") v. Guatemala.

5. Case of García and family members v. Guatemala.
6. Cases of Bámaca Velásquez, Maritza Urrutia, Plan de Sánchez Massacre, Chitay Nech et al., Río Negro Massacres, and Gudiel Álvarez et al. (“Diario Militar”) v. Guatemala.

As a general rule, the Court has considered that the assessment of information related to compliance with measures of reparation ordered in the Judgment should be made in the context of monitoring compliance with Judgment. However, exceptionally, if the request is related to the purpose of the case, the Court has analyzed whether the requirements of extreme gravity, urgency and the risk of irreparable harm are met that are necessary for the adoption of Provisional Measures.

In the **Case of Gudiel Álvarez et al. (“Diario Militar”) v. Guatemala**, the Court decided to adopt Provisional Measures “to require the State of Guatemala, in order to guarantee the right of access to justice of the victims in the [said] case [...], to continue adopting all appropriate measures to protect effectively the rights to life and personal integrity of Judge Miguel Ángel Gálvez Aguilar, presiding judge of High Risk Court B of the Guatemalan Judiciary, as well as his direct family, and to adopt the necessary measures to guarantee the judicial independence of Judge Gálvez Aguilar.” It also required the State to adopt the necessary measures to address the pattern of events that gave rise to the increased risk for Judge Gálvez Aguilar, and to “maintain the security strategy and measures assigned to Judge Miguel Ángel Gálvez Aguilar, presiding judge of High Risk Court B of the Guatemalan Judiciary, and to his direct family, and to continue taking such measures by mutual agreement and in coordination with the beneficiary and his representatives.”

In the **Cases of Bámaca Velásquez, Maritza Urrutia, Plan de Sánchez Massacre, Chitay Nech et al., Río Negro Massacres, and Gudiel Álvarez et al. (“Diario Militar”) v. Guatemala**, the Court decided to adopt Provisional Measures “[t]o require the State of Guatemala, in order to guarantee the right of access to justice of the victims in the [said] cases [...], to continue adopting all appropriate measures to protect effectively the rights to life and personal integrity of Elena Gregoria Sut Ren, head prosecutor of the Guatemalan Human Rights Prosecution Service and her direct family, and to adopt the necessary measures to guarantee prosecutor Sut Ren’s independence in the exercise of her functions.” In addition, it required the State “also to adopt the necessary measures to address the pattern of events that gave rise to the increased risk for prosecutor Sut Ren”; also, “to maintain the security strategy and measures assigned to Elena Gregoria Sut Ren, head prosecutor of the Guatemalan Human Rights Prosecution Service and her direct family, and to continue taking such measures by mutual agreement and in coordination with the beneficiary and her representatives.”

In the **Cases of Barrios Altos and La Cantuta v. Peru**, in its order of March 30, 2022, the Court ordered Peru, as a “no change” Provisional Measure, to guarantee the right of access to justice of the victims in the Barrios Altos and La Cantuta cases, to “refrain from executing the requirement of the Constitutional Court of Peru to order the release of Alberto Fujimori Fujimori until this international court has been able to decide on the request for Provisional Measures during its 147th Regular Session.” Subsequently, in the order of April 7, 2022, the Court decided to conduct a “specific monitoring procedure in relation to the pardon ‘on humanitarian grounds’ granted to Alberto Fujimori Fujimori, by means of monitoring compliance with the obligation to investigate, prosecute and punish the gross human rights violations in the Barrios Altos and La Cantuta cases,” and ordered the Peruvian State to “refrain from implementing the Judgment handed down by the Constitutional Court of Peru on March 17, 2022, that restored the effects of the pardon ‘on humanitarian grounds’ granted to Alberto Fujimori Fujimori on December 24, 2017, because it failed to comply with the conditions established in the order on Compliance with Judgments of May 30, 2018.”

In the **Case of García and family members v. Guatemala**, the Court decided “[t]o declare inadmissible the request for Provisional Measures submitted by the representatives of the victims in this case,” considering “that the facts described do not allow it to verify the existence of sufficient evidence to determine that a *prima facie* situation of extreme gravity exists and an urgent need for this international court to order the adoption of measures to avoid irreparable harm to the rights to life, personal integrity and association in favor of those who requested the Provisional Measures.” The Court indicated that this was “without prejudice to the competent institution of the National Civil Police updating the risk assessment, at the domestic level, based on the willingness shown by the State and the representatives to carry out the necessary coordination with that institution.”

Regarding the other two requests for Provisional Measures (Case of J. v. Peru and Case of the Dismissed Employees of Petroperu et al. v. Peru), the Court decided to reject them and assess the matters described in the context of monitoring compliance with Judgment.

E. Closure of cases due to compliance with the Judgment

During 2022, the Court declared the closure of two cases (one concerning Guatemala and the other Argentina) due to full compliance with the reparations ordered in the Judgments.

1. Case of Martínez Coronado v. Guatemala

On May 12, 2022, the Court issued an order in which it decided that the State of Guatemala had fully executed the reparations ordered in the Judgment of May 10, 2019, relating to: (i) publication of the Judgment and the official summary, and (ii) payment of the amount established as compensation for non-pecuniary damage. Therefore, the Inter-American Court decided to consider the case concluded and archive it.

The order of May 12, 2022, declaring the closure of the case can be consulted [here](#).

2. Case of Romero Feris v. Argentina

On, October 4, 2022, the Court issued an order in which it decided that the State of Argentina had fully executed the reparations ordered in the Judgment of November 15, 2019, relating to: (i) publication of the Judgment and the official summary, and (ii) payment to the victim, Raúl Rolando Romero Feris, of the amounts established as compensation for pecuniary and non-pecuniary damage, and (iii) payment to the victim’s representative of the sum established in the Judgment for reimbursement of costs and expenses.

The order of October 4, 2022, declaring the closure of the case can be consulted [here](#).

F. Compliance with guarantees of non-repetition

In 2022, the Court assessed compliance (total or partial) with various measures of reparation that constitute guarantees of non-repetition and it considers it desirable to underscore them in order to disseminate progress made and best practices of States. Owing to the type of structural changes entailed by the implementation of these measures, they benefit both the victims in each case and also society as a whole.

Compliance with them calls for amendments to the law, modifications of Case Law, the design and execution of public policies, changes in administrative practices, and other actions that are particularly complex.

Such measures were complied with (totally or partially) by the States of Argentina, Chile, Honduras and Mexico.

a. Argentina: adapt its domestic laws to the parameters of the Convention on the right to appeal the Judgment before a higher judge or court

In the Judgments in the Cases of Mendoza et al., Gorigoitia, and Valle Ambrosio et al., issued on May 14, 2013, September 2, 2019, and July 20, 2020, respectively, the Court found that Argentina was responsible for violating the judicial guarantee of the right to appeal the Judgment before a higher judge or court established in Article 8(2)(h) of the American Convention on Human Rights, as well as the duty to adopt domestic legal provisions to guarantee that right, because the norms concerning the remedy of cassation in force at the time of the facts in the national Code of Criminal Procedure, in the Code of Criminal Procedure of the province of Mendoza, and in the Code of Criminal Procedure of the province of Córdoba did not allow a review of factual and/or evidentiary matters to be obtained from a higher judge or court. Consequently, as a guarantee of non-repetition, the State was ordered to adapt these federal and provincial codes to the relevant standards developed by the Court in the respective Judgments.

In the order of September 2, 2022, the Court monitored jointly the guarantees of non-repetition ordered in these three cases.

In that order, the Court declared that the State had complied fully with the measure relating to adaptation of the criminal procedural norms of the province of Córdoba, ordered in the Judgment in the Case of Valle Ambrosio et al. The Court stressed that, eight months after notification of the Judgment, an amendment to the Code of Criminal Procedure of the province of Córdoba had been adopted expanding the reasons why a defendant could file a remedy of cassation in order to permit a broader control of evidentiary and factual matters in contested Judgments, as ordered in the Court's Judgment.

Additionally, the Court declared that the measure relating to the adaptation of the criminal procedural norms of Nation ordered in the Judgment in the Case of Mendoza et al., had been complied with partially because Argentina had introduced amendments to guarantee the right to appeal a guilty verdict before a higher judge or court by adopting the new Federal Code of Criminal Procedure ("CPPF") in December 2014. Even though the Court appreciated this action, it noted that the article of that code which regulates the causes for appealing against an adverse criminal Judgment before a higher judge or court (article 358) had not yet come into effect in most jurisdictions and at the national level. In this regard, in application of Article 69(2) of the Court's Rules of Procedure, the Bicameral Committee for Implementation and Monitoring of the Federal Code of Criminal Procedure of the Argentine Congress was asked to present a report on the entry into force of this article.

Finally, regarding the adaptation of the criminal procedural norms of the province of Mendoza ordered in the Judgments in the Cases of Mendoza et al. and Gorigoitia, the Court declared that this remained pending.

b. Chile: adapt domestic law to international standards for the military criminal jurisdiction

In the Judgment in the Case of Palamara Iribarne v. Chile, delivered on November 22, 2005, the Court established that Chile must adapt "domestic law to international standards for the military criminal jurisdiction, so that, if the existence of a military criminal jurisdiction is considered necessary, it must be

limited solely to hearing offenses committed in the course of duty by military personnel in active service.” The Court indicated that the State should “set legal limits to the material and personal jurisdiction of the military courts so that under no circumstances may a civilian be subject to the jurisdiction of the military criminal courts.”

In the order of September 2, 2022, the Court declared partial compliance with this guarantee of non-repetition because Chile had adapted its laws to exclude from the military criminal jurisdiction those cases in which civilians were involved, either as victims or defendants. The Court considered that it remained pending for the State to adapt its laws so as to limit that jurisdiction to hearing offenses committed in the course of duty, and to exclude Cases of human rights violations committed against members of the military. Also, regarding personal jurisdiction, it should clarify the definition of “military personnel” currently in effect, in order to explain whether this jurisdiction included persons who were not members of the military in active service.

c. Honduras: conduct an awareness-raising campaign on the importance of the work of environmental defenders

In the Judgment in the Case of Kawas Fernández, delivered on April 3, 2009, the Court established that Honduras should conduct a national awareness-raising campaign addressed at security officials, agents of justice and the general population on the importance of the work of environmental defenders in Honduras and on their contribution to the defense of human rights.

In the order of September 2, 2022, the Court declared full compliance with this reparation because Honduras had conducted the awareness-raising campaign: “Blanca Jeanette Kawas Fernández her legacy: importance of environmental defenders.” This campaign was implemented in two stages: a first stage aimed at “public officials,” the “whole student sector,” and “the general population,” during which several commemorative activities were carried out, and a second stage addressed at training “officials of the justice and security sectors” on “the rights enjoyed by environmental defenders.” The Court took into account the activities conducted by the State to execute this reparation completely, as well as the acknowledgement by the representatives, who considered that, with these actions, Honduras had complied fully with the measure. The Court appreciated the communication maintained between the State and the representatives for the implementation of some activities to comply with this measure.

d. Mexico: adapt the definition of the crime of forced disappearance of persons to the relevant international standards

In the Judgment in the Case of Radilla Pacheco et al., handed down on November 23, 2009, the Court noted that article 215 A of the Federal Criminal Code, which defined the forced disappearance of persons, did not comply with the relevant international standards and, in particular, those of the Inter-American Convention on Forced Disappearance of Persons. It therefore established that the State must adopt, within a reasonable time, the necessary legislative amendments to render that norm compatible.

In the order of June 24, 2022, the Court declared that this reparation had been complied with fully because Mexico had rescinded the said article 215 A of the Federal Criminal Code and adopted the “General Law on Forced Disappearance of Persons, Disappearance of Persons committed by Private Individuals, and the National System to Search for Missing Persons,” articles 27 to 30 of which define the crime of forced disappearance. The Court appreciated that the reform of the definition of the crime of forced disappearance rendered this definition of the crime compatible with the international standards indicated by the Court in the Judgment, because: (a) among the types of perpetrator of forced disappearance it includes the “private

individual” who acts “with the authorization, support or acquiescence of a public servant,” so that the current definition of the crime does not restrict it solely to public servants or officials, and (b) it incorporates in the criminal definition the element that was previously absent relating to the “refusal or failure to recognize this deprivation of liberty or to provide information on this or the person’s fate or whereabouts.”

F.1. Application of Article 65 of the American Convention to inform the OAS General Assembly on non-compliance

Regarding the application of Article 65 of the American Convention on Human Rights, it should be recalled that this article establishes that, in the annual report on its work that the Court submits to the consideration of the OAS General Assembly, “[i]t shall specify, in particular, the cases in which a State has not complied with its Judgments, making any pertinent recommendations.” Also, Article 30 of the Inter-American Court’s Statute stipulates that, in this annual report, “[i]t shall indicate those cases in which a State has failed to comply with the Court’s ruling.” As can be seen, the States Parties to the American Convention have established a system of collective guarantee. Thus, it is in the interests of each and every State to uphold the system for the protection of human rights that they themselves have created and to prevent Inter-American justice from becoming illusory by leaving it to the discretion of a State’s internal decisions. In previous years, the Inter-American Court has issued orders in which it has decided to apply the provisions of the said Article 65 and, thus inform the OAS General Assembly of non-compliance with the reparations ordered in the Judgments in several cases, requesting the General Assembly that, in keeping with its task of protecting the practical effects of the American Convention, it urge the corresponding States to comply.

When the Court has determined that Articles 65 of the Convention and 30 of the Statute should be applied in Cases of non-compliance with its Judgments, and has informed the General Assembly of the Organization of American States by means of its Annual Report, it will continue including this non-compliance in its Annual Report each year, unless the States have demonstrated that they are adopting the necessary measures to comply with the reparations ordered in the Judgment, or the victims’ representatives or the Commission have provided information on the implementation of, and compliance with, the provisions of the Judgment that the Court must assess.

During 2022, the Court did not issue orders applying Article 65 of the American Convention in new cases. However, it maintains its application in 21 cases at the stage of monitoring compliance (2 cases involving Haiti; 2 cases involving Nicaragua; 2 cases involving Trinidad and Tobago, and 15 cases involving Venezuela), in which this article was applied prior to 2022, and the situation has not changed. The list of cases can be found [here](#).

G. Requests for reports from sources that are not parties (Article 69(2) of the Rules of Procedure)

Starting in 2015, the Court has used the authority established in Article 69(2)¹⁰² of its Rules of Procedure to request relevant information on the implementation of reparations from “other sources” that are not parties to a case. This has allowed it to obtain direct information from specific State organs and institutions that have a competence or function that is relevant for implementation of the reparation or for requiring its implementation at the domestic level. This information differs from that provided by the State, as a party to the proceedings, at the stage of monitoring compliance.

102 This article establishes that: “[t]he Court may require from other sources of information relevant data regarding the case in order to evaluate compliance therewith. To that end, the Tribunal may also request the expert opinions or reports that it considers appropriate.”

During 2022, the Court applied this provision in the following cases:

- a. In the **Case of Mendoza et al. v. Argentina**, in an order of September 2, 2022, the Court found it desirable to ask the Bicameral Committee for Implementation and Monitoring of the Federal Code of Criminal Procedure of the Argentine Congress to present a report so that it could continue assessing implementation of the guarantee of non-repetition relating to the adaptation of the national criminal procedural norms to the parameters established in the Judgment in this case in relation to the right to appeal the Judgment before a higher judge or court. Specifically, it was asked to refer to whether the said Committee could grant full effectiveness in the sphere of federal and national justice to article 358 of the Federal Code of Criminal Procedure (which is the norm that would guarantee this right in keeping with the Convention) by means of a resolution such as those in which it has authorized implementation of other articles of the said Code and, if this were not possible, what were the reasons or obstacles. In addition, it was asked to provide a detailed updated explanation of whether article 358 was in force in any jurisdiction other than the federal jurisdiction of the provinces of Salta and Jujuy.
- b. In the **Case of Favela Nova Brasilia v. Brazil**, on April 18, 2022, the National Council of Justice of Brazil presented a report regarding compliance with the guarantee of non-repetition ordered in the sixteenth operative paragraph of the Judgment in relation to the adoption and implementation of norms to ensure that investigations are conducted by an independent body, other than the law enforcement agency involved in the respective incident, in response to the Court's request in an order of November 25, 2021. Also, on August 10, 2022, the National Council of Justice forwarded a brief concerning compliance with this Judgment.
- c. In the **Case of Pacheco León et al. v. Honduras**, on August 16, 2022, the Honduran National Human Rights Commissioner forwarded a report on compliance with two guarantees of non-repetition ordered in this case regarding the creation of a protocol for the diligent investigation of crimes involving violent deaths in keeping with the Minnesota Protocol, and the establishment of a mandatory permanent human rights education and training program or course for police officers, prosecutors and judicial officials, which should include standards for a diligent investigation in Cases of politically-motivated murder.
- d. In the **Case of Radilla Pacheco v. Mexico**, on December 9, 2022, the National Human Rights Commission forwarded a brief on compliance with the Judgment. Subsequently, the President of the Court deemed it pertinent to ask the Commission, or those it designated to represent it, to provide an oral report during the private hearing on monitoring compliance to be held during the Court's 156th Regular Session from March 5 to 25, 2023. It was asked to present any information it considered relevant, within its terms of reference, on the reparations relating to the investigation of the facts, the search for the victim's whereabouts, and psychological and/or psychiatric treatment.
- e. In the **Case of Huilca Tecse v. Peru**, the President of the Court deemed it pertinent to ask the Peruvian Special Superior Court for Crimes committed by Organized Crime and Crimes involving the Corruption of Officials to provide a report on any progress in the criminal proceedings to investigate, prosecute and punish, as appropriate, those responsible for the deprivation of Mr. Huilca Tecse's life.
- f. In the **Case of the Gómez Paquiyauri brothers v. Peru**, the President of the Court considered it desirable to request the Peruvian Ministry of Education to provide a report on compliance with the measure of reparation relating to the award of a study grant up to university level for Nora Emely Gómez Peralta.

- g. In the **Case of the Dismissed Workers of Petroperu et al. v. Peru**, in an order of September 9, 2022, the Court considered it desirable to ask the Ministry of Labour and Employment Promotion to present a report with consolidated information on the sums paid to the beneficiaries who took advantage of the grounds for financial compensation established by Law No. 27,803. It also found it appropriate to ask the Agency for the Promotion of Private Investment (PROINVERSIÓN), the President of the Council of Ministers, the Ministry of Labor and Employment Promotion, the Ministry of Economy and Finance, the Ministry of Education, the Constitutional Court, the Judiciary, the Congress of the Republic, the Empresa Nacional de Puertos S.A., and Petróleos del Peru S.A., to each send a report on compliance with the payment of the compensation and the reimbursement of costs and expenses ordered by the Court in the Judgment.
- h. In the **Case of Gelman v. Uruguay**, at the request of the acting President of the Court for this case, the National Human Rights Institute and Uruguayan Ombudsman's Office (INDDHH) provided an oral report during the private hearing on monitoring compliance with Judgment held on October 20, 2022, in Colonia, Uruguay. The institution presented information on its contribution to compliance with the reparations ordered in this case in relation to the search for and discovery of María Claudia García or her mortal remains and to guarantee technical and systematized access to information contained in the State's archives on the gross human rights violations that took place during the dictatorship.
- i. In the **Case of Vélez Loor v. Panama**, at the request of the President of the Court, the Panamanian Ombudsman took part in the on-site visit and the private hearing held in Panama to monitor implementation of the Provisional Measures adopted in 2020 to protect the rights of those persons who were in the La Peñita, San Vicente and Lajas Blancas Migration Reception Centers, and in the receiving community of Bajo Chiquito, in the province of Darién.

H. Informal meetings held by the Court's Secretariat with state agents

During 2022, the Court continued to implement the positive measure of holding virtual or in-person meetings with state agents to provide them with information or to discuss the status of cases at the stage of monitoring compliance with Judgment. This type of meeting was held with agents of Argentina, Bolivia, Chile, Colombia, Panama, Paraguay and Peru. These are informal meetings, rather than monitoring hearings, but they have a positive impact by increasing communication on matters such as the different reparations that States must comply with, deadlines for the presentation of reports, requests presented by the State for the Court to assess compliance with reparations, and objections presented by representatives of the victims and the Commission, among other matters.

I. Involvement of domestic organs, institutions and/or courts to require the execution of reparations at the domestic level

Compliance with the Court's Judgments can benefit from the involvement of national institutions and organs that, within their spheres of competence and using their powers to protect, defend and promote human rights, urge the corresponding public authorities to take specific actions or adopt measures that lead to the implementation of the measures of reparation ordered, and compliance with the decisions

made, in the Judgments. Their involvement can provide support to the victims at the domestic level. This is particularly important in the Case of reparations that are more complex to implement and that constitute guarantees of non-repetition which benefit both the victims in a case and the community as a whole by promoting structural legislative and institutional changes that ensure the effective protection of human rights.

Depending on the components of the reparations, the active participation of different social agents, together with organs and institutions specialized in the proposal, planning or implementation of such measures, is very relevant.

In this regard, it is worth noting the work that can be done by national human rights bodies and ombudspersons, as described in the previous section.

J. Participation and support of academia and civil society

The interest in the execution of the Inter-American Court's Judgments shown by academia, non-governmental organizations and other members of civil society is also extremely relevant.

The filing of *amicus curiae* briefs (Article 44(4) of the Court's Rules of Procedure) gives third parties, who are not party to the proceedings, an opportunity to provide the Court with their opinion or information on legal considerations concerning aspects that relate to compliance with reparations. In 2022, the Court received *amicus curiae* in relation to compliance with the Judgments in the Cases of: Fornerón and daughter v. Argentina, Mendoza et al. v. Argentina, Gomes Lund et al. (Guerrilha do Araguaia) v. Brazil, Petro Urrego v. Colombia, Guzmán Albarracín et al. v. Ecuador and Alvarado Espinoza et al. v. Mexico. Furthermore, amici curiae briefs were received in the context of the request for Provisional Measures presented in relation to the Cases of Barrios Altos and La Cantuta v. Peru, which are at the stage of monitoring compliance with Judgments.

The support that organizations and academia can provide in their respective fields is also essential, by organizing activities and initiatives that publicize judicial standards, or that examine, provide opinions on, and debate essential aspects and challenges relating to both the impact of, and compliance with, the Court's Judgments, and also that promote this compliance. Examples of such initiatives are the seminars, meetings, workshops and projects organized to this end, as well as the "Observatories" on the Inter-American System of human rights or to follow up on Compliance with Judgments.¹⁰³

The most important activities carried out in 2022 included:

- March 28 to 30, Buenos Aires, Argentina: Regional exchange on best practices and challenges in the application of the Minnesota Protocol for the investigation of potentially unlawful deaths. Co-organized with the International Political Studies Center of the Universidad Nacional de San Martín, the United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions, and the Argentine Public Defense Service.

¹⁰³ Such as: the "Observatory on the Inter-American System of human rights" at the UNAM Legal Research Institute; the "Observatory of the Inter-American Association of Public Defenders (AIDEF) on compliance with the Judgments of the Inter-American Court of Human Rights"; the "Permanent Observatory on Compliance with Judgments of the Inter-American Court of Human Rights in Argentina and monitoring of the Inter-American System of human rights" of the Faculty of Legal and Social Sciences of the Universidad Nacional del Litoral, Argentina; the "Paola Guzmán Albarracín Observatory" composed of "Civil Society and Academic Organization of Ecuador and the whole region [...] in order to follow up on the measures established in the guarantee of non-repetition ordered" in the Judgment in the Case of Guzmán Albarracín v. Ecuador, and the "Human Rights Observatory" of the National Council of Justice of Brazil, which includes the "Working Group to monitor and oversee compliance with the Judgments of the Inter-American Court of Human Rights."

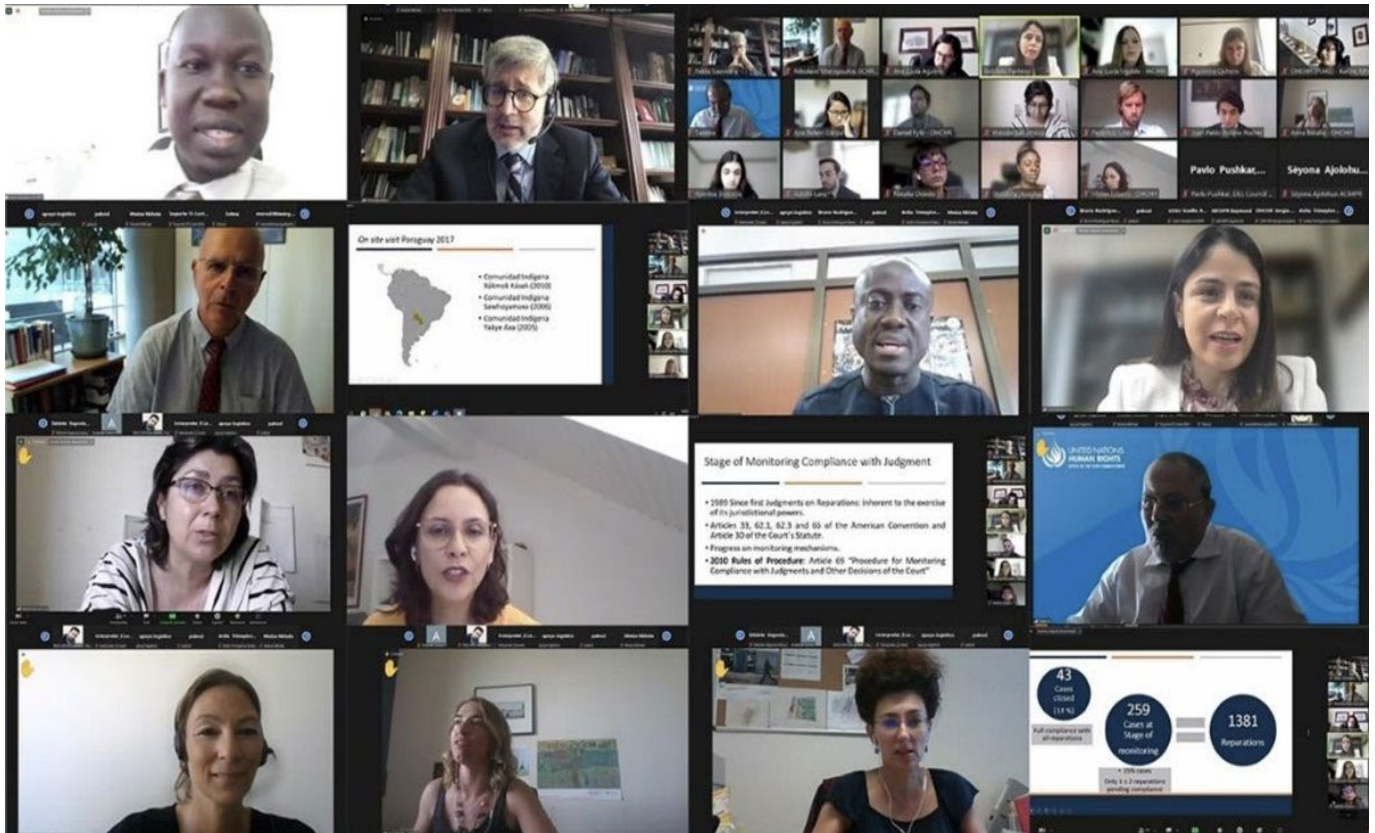
- July 7 to 9, Heidelberg, Germany: Seminar “Transformative impact(s) of the Inter-American human rights system,” co-organized with the Max Planck Institute for Comparative Public Law and International Law, the Rule of Law Program for Latin America of the Konrad Adenauer Foundation, and the Inter-American Commission.
- September 26, virtually: “Recommendations and measures of reparation in Cases of gender-based violence before the Inter-American System”; one of the panel discussions of the “National Meeting on Justice and Gender” organized by the Council of the Judiciary of Ecuador.
- November 9, Bogotá, Colombia: Workshop “The transformative impact of compliance with the decisions of the Inter-American human rights system in Colombia: a multidimensional dialogue,” co-organized with the Max Planck Institute for Comparative Public Law and International Law and the Rule of Law Program for Latin America of the Konrad Adenauer Foundation.

Additionally, towards the end of 2022, a technical collaboration initiative began between the Max Planck Institute for Comparative Public Law and International Law and the Unit for monitoring compliance with Judgments of the Court’s Secretariat. It will guarantee essential support for disseminating the Court’s Case Law on monitoring compliance with Judgments, as well as experiences relating to the impact of the Convention-based standards developed by the Court.

To encourage the involvement of human rights organs and institutions and national courts, together with the participation of academia and civil society, in matters relating to compliance with the reparations ordered by the Inter-American Court, especially the guarantee of non-repetition, in March 2019 the Court adopted Decision 1/19 on “Clarifications on the publication of information contained in the files of cases at the stage of monitoring compliance with Judgment” (supra section A). This decision establishes that the information concerning guarantees of non-repetition contained in the files of cases at the stage of monitoring compliance with Judgment should be publicized, and also any *amicus curiae* briefs submitted. During 2022, the Court continued publishing these documents on its website.

K. Working Meeting on monitoring compliance with the Decisions of the International Human Rights Courts and Organs for the Protection of Human Rights

On June 20, 2022, for the first time, the Secretariats of the Inter-American Court of Human Rights and of the African Court of Human and Peoples’ Rights, as well as the Department for the Execution of Judgments of the European Court of Human Rights, and the Petitions and Urgent Actions Section of the Office of the United Nations High Commissioner for Human Rights held a virtual working meeting in which they discussed their work monitoring compliance with the decisions of the international human rights courts and bodies.



This pioneering experience allowed these four institutions to initiate a dialogue aimed at sharing expertise and experiences on the work they each carry out, the mechanisms and tools they use to monitor compliance with their decisions, and the challenges they face.

The four participating institutions agreed on the need to continue conducting this type of activity and exchange of experiences on a permanent basis. This will open up new platforms for dialogue in which specific topics and challenges shared by the international systems for the protection of human rights regarding the implementation of their decisions can be discussed in greater detail in order to enhance the monitoring mechanisms and thus achieve improved and prompter compliance. To continue this type of dialogue, towards the end of 2022, the IACtHR Secretariat took steps to organize another meeting in 2023.

List of cases at the stage of monitoring compliance with Judgment

The Court ended 2022 with 280 cases at the stage of monitoring compliance with Judgment; of these:

- In 64 cases (23%), one or two reparations are pending compliance.
- Article 65 of the American Convention has been applied 21 cases (7.5%).

The updated list of cases at the stage of monitoring compliance with Judgment is available [here](#).

During 2022, 24 Judgments were handed down ordering 175 measures of reparation. In addition, 2022 ended with a total of 44 cases closed because each and every reparation ordered in the respective Judgment had been completed. The list of cases closed due to full compliance can be consulted [here](#).

TOTAL CASES UNDER SUPERVISION AND ON FILE, BY STATE

At the close of 2022, the following were:



280
CASES IN STAGE OF SUPERVISION OF COMPLIANCE OF SENTENCE

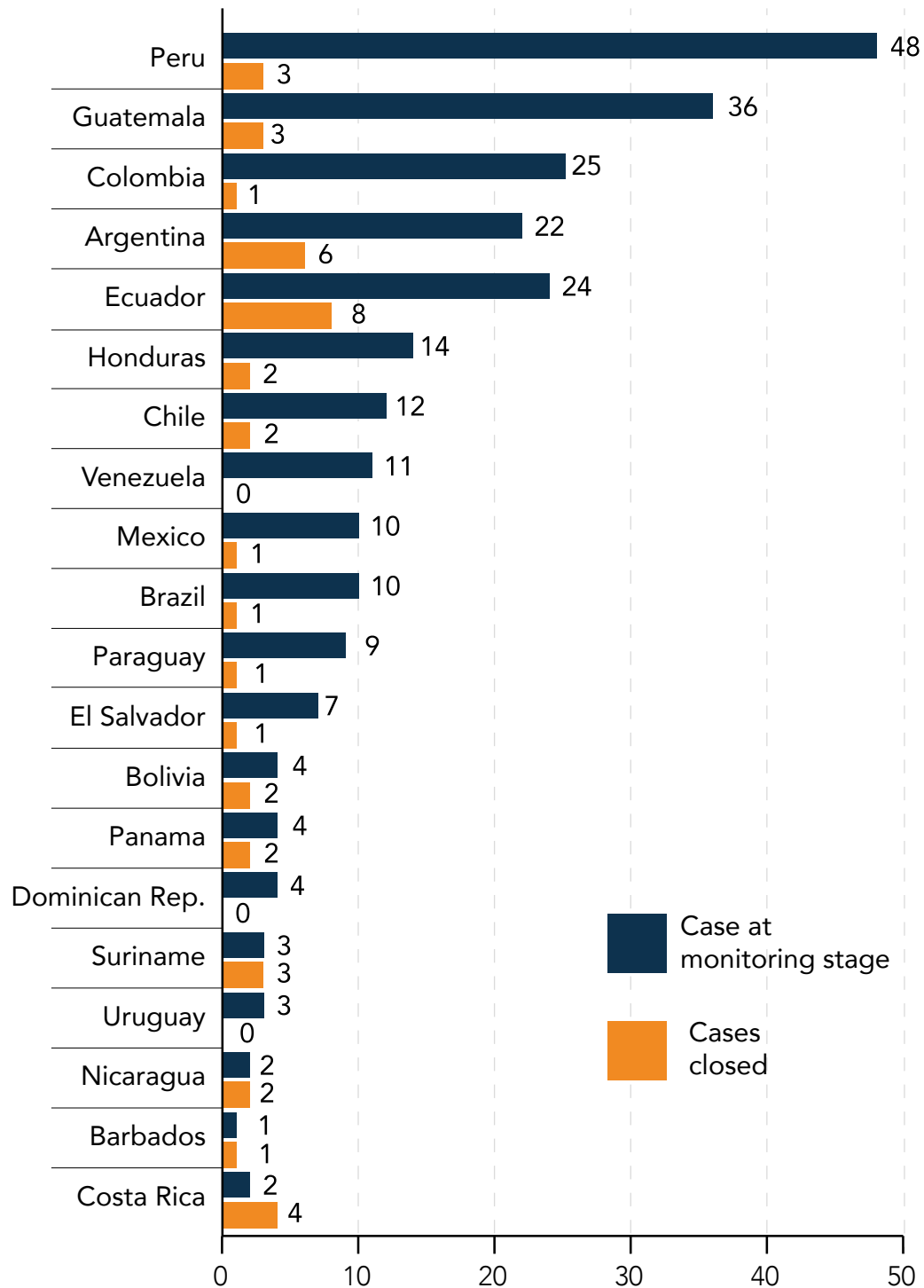
64 Pending completion of one or two repairs

21 Under application of Article 65 of the American Convention

24
SENTENCES

175
REMEDIAL MEASURES.

44 CASES filed for full compliance



* Note: The information presented in this table is based on statements in the orders issued by the Court. Consequently, there could be other information provided by the parties in the files that has not yet been evaluated by the Court.

The cases in which the Court is monitoring compliance with Judgment appear below in three lists. The first list includes the 64 cases that only have one or two measures pending compliance. The second list contains the 195 cases with more than two measures pending. The third list comprises the 21 cases in which the Court has applied Article 65 of the American Convention, without noting any change in the situation.

- List of cases at the monitoring stage with 1 or 2 reparations pending, excluding those to which Article 65 of the Convention has been applied

List of Cases at the monitoring stage with 1 or 2 reparations pending [excluding those to which Article 65 of the Convention has been applied]			
Total	Number by State	Name of the Case	Date of Judgment establishing reparations
ARGENTINA			
1	1	Garrido and Baigorria	August 27, 1998
2	2	Bulacio	September 18, 2003
3	3	Bueno Alves	May 11, 2007
4	4	Fontevicchia and D'Amico	November 29, 2011
5	5	Fornerón and daughter	April 27, 2012
6	6	Argüelles et al.	November 2, 2014
7	7	Spoltore	June 9, 2020
BARBADOS			
8	1	Dacosta Cadogan	September 24, 2009
BOLIVIA			
9	1	Trujillo Oroza	February 27, 2002
10	2	I.V.	November 30, 2016
BRAZIL			
11	1	Ximenes Lopes	July 4, 2006
12	2	Garibaldi	September 23, 2009
CHILE			
13	1	Almonacid Arellano et al.	September 26, 2006
14	2	Atala Riffo and daughters	February 24, 2012
15	3	García Lucero et al.	August 28, 2013
16	4	Maldonado Vargas et al.	September , 2015

Total	Number by State	Name of the Case	Date of Judgment establishing reparations
17	5	Órdenes Guerra et al.	November 29, 2018
18	6	Urrutia Laubreaux	August 27, 2020
COLOMBIA			
19	1	Caballero Delgado and Santana	January 29, 1997
20	2	Escué Zapata	July 4, 2007
21	3	Carvajal Carvajal et al.	March 13, 2018
ECUADOR			
22	1	Benavides Cevallos	June 19, 1998
23	2	Suárez Rosero	January 20, 1999
24	3	Tibi	September 7, 2004
25	4	Zambrano Vélez et al.	July 4, 2007
26	5	Chaparro Álvarez and Lapo Íñiguez	November 21, 2007
27	6	Vera Vera et al.	May 19, 2011
28	7	Flor Freire	August 31, 2016
29	8	Vásquez Durand et al.	February 15, 2017
30	9	Grijalva Bueno	June 3, 2021
GUATEMALA			
31	1	Blake	January 22, 1999
32	2	"Street Children" (Villagrán Morales et al.)	May 26, 2001
33	3	Myrna Mack Chang	November 25, 2003
34	4	Maritza Urrutia	November 27, 2003
35	5	Tiu Tojín	November 26, 2008
36	6	Gutiérrez Hernández et al.	August 24, 2017
37	7	Girón et al.	October 15, 2019
HONDURAS			
38	1	Servellón García et al.	September 21, 2006
39	2	Kawas Fernández	April 3, 2009
40	3	Luna López	October 10, 2013
41	4	López Lone et al.	October 5, 2015

Total	Number by State	Name of the Case	Date of Judgment establishing reparations
MEXICO			
42	1	García Cruz and Sánchez Silvestre	November 26, 2013
PANAMA			
43	1	Heliodoro Portugal	August 12, 2008
44	2	Kuna Indigenous Peoples of Madungandí and Emberá of Bayano and their members	October 14, 2014
PARAGUAY			
45	1	Vargas Areco	September 26, 2006
PERU			
46	1	Neira Alegría et al.	September 19, 1996
47	2	Castillo Páez	November 27, 1998
48	3	Constitutional Court	January 31, 2001
49	4	Ivcher Bronstein	February 6, 2001
50	5	"Five Pensioners"	February 28, 2003
51	6	Gómez Paquiyauri Brothers	July 8, 2004
52	7	Huilca Tecse	March 3, 2005
53	8	Dismissed Congressional Employees (Aguado Alfaro et al.)	November 24, 2006
54	9	Acevedo Buendía et al. ("Dismissed and Retired from the Comptroller's Office")	July 1, 2009
55	10	Tarazona Arrieta et al.	October 15, 2014
56	11	Canales Huapaya et al.	June 24, 2015
57	12	Wong Ho Wing	June 30, 2015
58	13	Zegarra Marín	February 15, 2017
59	14	Lagos del Campo	August 31, 2017
60	15	Dismissed Workers of Petroperu et al.	August 22, 2018
61	16	Moya Solís	June 3, 2021
DOMINICAN REPUBLIC			
62	1	Yean and Bosico Girls	September 8, 2005

Total	Number by State	Name of the Case	Date of Judgment establishing reparations
TRINIDAD AND TOBAGO			
63	1	Bissoon et al.	November 14, 2022
URUGUAY			
64	1	Barbani Duarte et al.	October 13, 2011

List of cases at the Monitoring Stage with more than 2 reparations pending, excluding those to which Article 65 of the Convention has been applied.

**List of cases at the monitoring stage with more than 2 reparations pending
[excluding those to which Article 65 of the Convention has been applied]**

Total	Number by State	Name of the Case	Date of Judgment establishing reparations
ARGENTINA			
1	1	Bayarri	October 30, 2008
2	2	Torres Millacura et al.	August 26, 2011
3	3	Furlan and family members	August 31, 2012
4	4	Mendoza et al.	May 14, 2013
5	5	Gutiérrez and family	November 25, 2013
6	6	Gorigoitía	September 2, 2019
7	7	Hernández	November 22, 2019
8	8	López et al.	November 25, 2019
9	9	Jenkins	November 26, 2019
10	10	Indigenous Communities of the Lhaka Honhat (Our Land) Association	February 6, 2020
11	11	Valle Ambrosio et al.	July 20, 2020
12	12	Acosta Martínez et al.	August 31, 2020
13	13	Fernández Prieto and Tumbeiro	September 1, 2020
14	14	Almeida	November 17, 2020
15	15	Julien Grisonas family	September 23, 2021
16	16	Brítez Arce et al.	November 16, 2022

BOLIVIA			
17	1	Ticona Estrada et al.	November 27, 2008
18	2	Ibsen Cárdenas and Ibsen Peña	September 1, 2010
19	3	Flores Bedregal et al.	October 17, 2022
20	4	Valencia Campos et al.	October 18, 2022
21	5	Angulo Losada	November 18, 2022
BRAZIL			
22	1	Gomes Lund et al.	November 24, 2010
23	2	Hacienda Brazil Verde Workers	October 20, 2016
24	3	Favela Nova Brasília	February 16, 2017
25	4	Xucuru Indigenous People and its members	February 5, 2018
26	5	Herzog et al.	March 15, 2018
27	6	Workers of the Santo Antônio de Jesus Fireworks Factory	July 15, 2020
28	7	Barbosa de Souza and his family members	September 7, 2021
29	8	Sales Pimenta	June 30, 2022
CHILE			
30	9	Palamara Iribarne	November 22, 2005
31	10	Norín Catrimán et al. (Leaders, members and activist of the Mapuche Indigenous People)	May 29, 2014
32	11	Poblete Vilches et al.	March 8, 2018
33	12	Vera Rojas et al.	October 1, 2021
34	13	Teachers of Chañaral and other municipalities	November 10, 2021
35	14	Pavez Pavez	February 4, 2022
36	15	Baraona Bray	November 24, 2022
COLOMBIA			
37	1	Las Palmeras	November 26, 2002
38	2	19 Traders	July 5, 2004

39	3	Gutiérrez Soler	September 12, 2005
40	4	Mapiripán Massacre	September 15, 2005
41	5	Pueblo Bello Massacre	January 31, 2006
42	6	Ituango Massacres	July 1, 2006
43	7	La Rochela Massacre	May 11, 2007
44	8	Valle Jaramillo et al.	November 27, 2008
45	9	Manuel Cepeda Vargas	May 26, 2010
46	10	Vélez Restrepo and family	September 3, 2012
47	11	Santo Domingo Massacre	August 19, 2013
48	12	Afro-descendant Communities of the Río Cacarica Basin (Operation Genesis)	November 20, 2013
49	13	Rodríguez Vera et al.	November 14, 2014
50	14	Yarce et al.	November 22, 2016
51	15	Vereda La Esperanza	August 31, 2017
52	16	Villamizar Durán et al.	November 20, 2018
53	17	Isaza Uribe et al.	November 20, 2018
54	18	Omeara Carrascal et al.	November 21, 2018
55	19	Petro Urrego	July 8, 2020
56	20	Martínez Esquivia	October 6, 2020
57	21	Bedoya Lima et al.	August 26, 2021
58	22	Movilla Galarcio et al.	June 22, 2022
59	23	Members and Activists of the Patriotic Union	July 27, 2022
COSTA RICA			
60	1	Moya Chacón et al. v. Costa Rica	May 23, 2022
61	2	Guevara Díaz	June 22, 2022
ECUADOR			
62	1	Kichwa Indigenous People of Sarayaku	June 27, 2012
63	2	Gonzales Lluy et al.	September 1, 2015

64	3	Herrera Espinoza et al.	September 1, 2016
65	4	Montesinos Mejía	January 27, 2020
66	5	Carranza Alarcón	February 3, 2020
67	6	Guzmán Albarracín et al.	June 24, 2020
68	7	Guachalá Chimbó et al.	March 26, 2021
69	8	Villarroel et al.	August 24, 2021
70	9	Garzón Guzmán	September 1, 2021
71	10	Palacio Urrutia et al.	November 24, 2021
72	11	Casierra Quiñonez et al.	May 11, 2022
73	12	Mina Cuero	September 7, 2022
74	13	Huacón Baidal et al.	October 4, 2022
75	14	Cortez Espinoza	October 18, 2022
76	15	Aroca Palma et al.	November 8, 2022
EL SALVADOR			
77	1	Serrano Cruz Sisters	March 1, 2005
78	2	García Prieto et al.	November 20, 2007
79	3	Contreras et al.	August 31, 2011
80	4	Massacres of El Mozote and neighboring places	October 25, 2012
81	5	Rochac Hernández et al.	October 14, 2014
82	6	Ruano Torres et al.	October 5, 2015
83	7	Manuela et al.	November 2, 2021
GUATEMALA			
84	1	"White Van" (Paniagua Morales et al.)	March 8, 1998
85	2	Bámaca Velásquez	February 22, 2002
86	3	Molina Theissen	July 3, 2004
87	4	Plan de Sánchez Massacre	November 19, 2004
88	5	Carpio Nicolle et al.	November 22, 2004
89	6	Fermín Ramírez	July 20, 2005

90	7	Raxcacó Reyes	September 15, 2005
91	8	Dos Erres Massacre	November 24, 2009
92	9	Chitay Nech et al.	May 25, 2010
93	10	Río Negro Massacres	September 4, 2012
94	11	Gudiel Álvarez et al. ("Diario Militar")	November 20, 2012
95	12	García and family members	November 29, 2012
96	13	Véliz Franco et al.	May 19, 2014
97	14	Human Rights Defender et al.	August 28, 2014
98	15	Velásquez Paiz et al.	November 19, 2015
99	16	Chinchilla Sandoval et al.	February 29, 2016
100	17	Members of the village of Chichupac and neighboring communities of the municipality of Rabinal	November 30, 2016
101	18	Ramírez Escobar et al.	March 9, 2018
102	19	Coc Max et al. (Xamán Massacre)	August 22, 2018
103	20	Cuscul Pivaral et al.	August 23, 2018
104	21	Ruiz Fuentes et al.	October 10, 2019
105	22	Valenzuela Ávila	October 11, 2019
106	23	Rodríguez Revolorio et al.	October 14, 2019
107	24	Gómez Virula et al.	November 21, 2019
108	25	Maya Kaqchikel Indigenous Peoples of Sumpango et al.	October 6, 2021
109	26	Village of Los Josefinos Massacre	November 3, 2021
110	27	Former Employees of the Judiciary	November 17, 2021
HONDURAS			
111	1	Juan Humberto Sánchez	June 7, 2003
112	2	López Álvarez	February 1, 2006
113	3	Pacheco Teruel et al.	April 27, 2012
114	4	Triunfo de la Cruz Garifuna Community and its members	October 8, 2015

115	5	Punta Piedra Garifuna Community and its members	October 8, 2015
116	6	Pacheco León et al.	November 15, 2017
117	7	Escaleras Mejía et al.	September 26, 2018
118	8	Vicky Hernández et al.	March 26, 2021
119	9	Lemoth Morris et al. (Miskito Divers)	August 31, 2021
120	10	Deras García et al.	August 25, 2022
MEXICO			
121	1	González et al. ("Cotton Field")	November 16, 2009
122	2	Radilla Pacheco	November 23, 2009
123	3	Fernández Ortega et al.	August 30, 2010
124	4	Rosendo Cantú et al.	August 31, 2010
125	5	Cabrera García and Montiel Flores	November 26, 2010
126	6	Trueba Arciniega et al.	November 27, 2018
127	7	Women Victims of Sexual Torture in Atenco	November 28, 2018
128	8	Alvarado Espinoza et al.	November 28, 2018
129	9	Family members of Digna Ochoa and Plácido	November 25, 2021
130	10	Tzompaxtle et al.	November 7, 2022
NICARAGUA			
131	1	Acosta et al.	March 25, 2017
132	2	V.R.P., V.P.C. et al.	March 8, 2018
PANAMA			
133	1	Vélez Loor	November 23, 2010
PARAGUAY			
134	1	"Juvenile Re-education Institute"	September 2, 2004
135	2	Yakye Axa Indigenous Community	June 17, 2005
136	3	Sawhoyamaxa Indigenous Community	March 29, 2006

137	4	Goiburú et al.	September 22, 2006
138	5	Xákmok Kásek Indigenous Community	August 24, 2010
139	6	Noguera et al.	March 9, 2020
140	7	Ríos Avalos et al.	August 19, 2021
141	8	Leguizamón Zaván et al.	November 15, 2022
142	9	Nissen Pessolani	November 21, 2022
PERU			
143	1	Loayza Tamayo	November 27, 1998
144	2	Cesti Hurtado	May 31, 2001
145	3	Barrios Altos	November 30, 2001
146	4	Cantoral Benavides	December 3, 2001
147	5	Durand and Ugarte	December 3, 2001
148	6	De La Cruz Flores	November 18, 2004
149	7	Gómez Palomino	November 22, 2005
150	8	García Asto and Ramírez Rojas	November 25, 2005
151	9	Acevedo Jaramillo et al.	February 7, 2006
152	10	Baldeón García	April 6, 2006
153	11	Miguel Castro Castro Prison	November 25, 2006
154	12	La Cantuta	November 29, 2006
155	13	Cantoral Huamaní and García Santa Cruz	July 10, 2007
156	14	Anzualdo Castro	September 22, 2009
157	15	Osorio Rivera and family members	November 26, 2013
158	16	J.	November 27, 2013
159	17	Espinoza Gonzáles	November 20, 2014
160	18	Cruz Sánchez et al.	April 17, 2015
161	19	Campesina Community of Santa Bárbara	September 1, 2015
162	20	Galindo Cárdenas et al.	October 2, 2015
163	21	Quispialaya Vilcapoma	November 23, 2015

164	22	Tenorio Roca et al.	June 22, 2016
165	23	Pollo Rivera et al.	October 21, 2016
166	24	Munárriz Escobar et al.	August 20, 2018
167	25	Terrones Silva et al.	September 26, 2018
168	26	Muelle Flores	March 6, 2019
169	27	Rosadio Villavicencio	October 14, 2019
170	28	National Association of Discharged and Retired Employees of the National Tax Administration Superintendence (ANCEJUB-SUNAT)	November 21, 2019
171	29	Azul Rojas Marín et al.	March 12, 2020
172	30	Casa Nina	November 24, 2020
173	31	Cuya Lavy et al.	September 28, 2021
174	32	National Federation of Maritime and Port Workers (FEMAPOR)	February 1, 2022
175	33	Benites Cabrera et al.	October 4, 2022
DOMINICAN REPUBLIC			
176	1	González Medina and family	February 27, 2012
177	2	Nadege Dorzema et al.	October 24, 2012
178	3	Expelled Dominicans and Haitians	August 28, 2014
SURINAME			
179	1	Moiwana Community	June 15, 2005
180	2	Saramaka People	November 28, 2007
181	3	Kaliña and Lokono Peoples	November 25, 2015
TRINIDAD AND TOBAGO			
182	1	Dial and Dottin	November 21, 2022
URUGUAY			
183	1	Gelman	February 24, 2011
184	2	Maidanik et al.	November 15, 2021

VENEZUELA			
185	1	Chocrón Chocrón	July 1, 2011
186	2	Landaeta Mejías Brothers et al.	August 27, 2014
187	3	Ortiz Hernández et al.	August 22, 2017
188	4	San Miguel Sosa et al.	February 8, 2018
189	5	López Soto et al.	September 26, 2018
190	6	Álvarez Ramos	August 30, 2019
191	7	Díaz Loreto et al.	November 19, 2019
192	8	Olivares Muñoz et al.	November 10, 2020
193	9	Mota Abarullo et al.	November 18, 2020
194	10	Guerrero, Molina et al.	June 3, 2021
195	11	González et al.	September 20, 2021

List of cases at the stage of monitoring compliance to which Article 65 of the Convention has been applied, and the situation verified has not varied.

List of cases at the stage of monitoring compliance to which Article 65 of the Convention has been applied, and the situation verified has not varied			
Total	Number by State	Name of the Case	Date of Judgment establishing reparations
HAITI			
1	1	Yvon Neptune	May 6, 2008
2	2	Fleury <i>et al.</i>	November 23, 2011
NICARAGUA			
3	1	Yatama	June 23, 2005
4	2	Roche Azaña <i>et al.</i>	June 3, 2020
TRINIDAD AND TOBAGO			
5	1	Hilaire, Constantine and Benjamin <i>et al.</i>	June 21, 2002
6	2	Caesar	March 11, 2005

VENEZUELA				
7	1	El Amparo		September 14, 1996
8	2	El Caracazo		August 29, 2002
9	3	Blanco Romero <i>et al.</i>		November 28, 2005
10	4	Montero Aranguren <i>et al.</i> (Retén de Catia)		July 5, 2006
11	5	Apitz Barbera <i>et al.</i> ("First Court of Administrative Disputes)		August 5, 2008
12	6	Ríos <i>et al.</i>		January 28, 2009
13	7	Perozo <i>et al.</i>		January 28, 2009
14	8	Reverón Trujillo		June 30, 2009
15	9	Barreto Leiva		November 17, 2009
16	10	Usón Ramírez		November 20, 2009
17	11	López Mendoza		September 1, 2011
18	12	Barrios Family		November 24, 2011
19	13	Díaz Peña		June 26, 2012
20	14	Uzcátegui <i>et al.</i>		September 3, 2012
21	15	Granier <i>et al.</i> (Radio Caracas Televisión)		June 22, 2015

List of cases closed due to compliance with Judgment.

List of cases closed due to compliance with Judgment				
Total	Number by State	Name of the Case	Date of Judgment determining reparations	Date of order closing Case
ARGENTINA				
1	1	Cantos	November 28, 2002	November 14, 2017
2	2	Kimel	May 2, 2008	February 5, 2013
3	3	Mohamed	November 23, 2012	November 13, 2015
4	4	Mémoli	August 22, 2013	February 10, 2017
5	5	Perrone and Preckel	October 8, 2019	November 17, 2021
6	6	Romero Feris	November 15, 2019	October 4, 2022
BARBADOS				
7	1	Boyce <i>et al.</i>	November 20, 2007	March 9, 2020

BOLIVIA				
8	1	Pacheco Tineo family	November 25, 2013	April 17, 2015
9	2	Andrade Salmón	December 1, 2016	February 5, 2018
BRAZIL				
10	1	Escher et al.	July 6, 2009	June 19, 2012
CHILE				
11	1	Last Temptation of Christ (Olmedo Bustos et al.)	November 5, 2001	November 28, 2003
12	2	Claude Reyes et al.	September 19, 2006	November 24, 2008
COLOMBIA				
13	1	Duque	February 26, 2016	March 12, 2020
COSTA RICA				
14	1	Herrera Ulloa	July 2, 2004	November 22, 2010
15	2	Artavia Murillo et al. (In vitro fertilization)	November 28, 2012	November 22, 2019
16	3	Gómez Murillo et al.	November 29, 2016	November 22, 2019
17	4	Amrhein et al.	April 25, 2018	October 7, 2019
ECUADOR				
18	1	Acosta Calderón	June 24, 2005	February 7, 2008
19	2	Albán Cornejo et al.	November 22, 2007	August 28, 2015
20	3	Salvador Chiriboga	March 3, 2011	May 3, 2016
21	4	Mejía Idrovo	July 5, 2011	September 4, 2012
22	5	Suárez Peralta	May 21, 2013	August 28, 2015
23	6	Supreme Court of Justice (Quintana Coello et al.)	August 23, 2013	January 30, 2019
24	7	Constitutional Tribunal (Camba Campos et al.)	August 28, 2013	June 23, 2016
25	8	García Ibarra et al.	November 17, 2015	November 14, 2017
26	9	Valencia Hinojosa et al.	November 29, 2016	March 14, 2018
EL SALVADOR				
27	1	Colindres Schonenberg	February 4, 2019	November 18, 2020

GUATEMALA				
28	1	Maldonado Ordóñez	May 3, 2016	August 30, 2017
29	2	Villaseñor Velarde et al.	February 5, 2019	June 24, 2020
30	3	Martínez Coronado	May 10, 2019	December 19, 2022
HONDURAS				
31	1	Velásquez Rodríguez	July 21, 1989	September 10, 1996
32	2	Godínez Cruz	August 17, 1990	September 10, 1996
MEXICO				
33	1	Castañeda Gutman	August 6, 2008	August 28, 2013
NICARAGUA				
34	1	Genie Lacayo	January 29, 1997	August 29, 1998
35	2	Mayagna (Sumo) Awas Tingni Community	August 31, 2001	April 3, 2009
PANAMA				
36	1	Baena Ricardo et al.	February 2, 2001	September 1, 2021
37	2	Tristán Donoso	January 27, 2009	September 1, 2010
PARAGUAY				
38	1	Ricardo Canese	August 31, 2004	August 6, 2008
PERU				
39	1	Castillo Petruzzi et al.	May 30, 1999	September 20, 2016
40	2	Lori Berenson Mejía	November 25, 2004	June 20, 2012
41	3	Abrill Alosilla et al.	November 21, 2011	May 22, 2013
SURINAME				
42	1	Aloeboetoe et al.	September 10, 1993	February 5, 1997
43	2	Gangaram Panday	January 21, 1994	November 27, 1998
44	3	Liakat Ali Alibux	January 30, 2014	March 9, 2020



Provisional Measures

VI

VI. Provisional Measures

During 2022, the Court issued 16 orders on Provisional Measures. These orders have different purposes, such as: (i) adoption of Provisional or Urgent Measures; (ii) continuation or, when appropriate, expansion of Provisional Measures; (iii) total or partial lifting of measures; (iv) rejection of requests to expand Provisional Measures, and (vi) rejection of requests for Provisional Measures. In addition, during the year, one procedure was conducted to monitor the implementation of Provisional Measures, and four public hearings were held on Provisional Measures.¹⁰⁴

During 2022 the Court issued

16 Resolutions of
Provisional Measures



A. Adoption

1. Matter of 45 Persons Deprived of their Liberty in 8 Detention Centers with regard to Nicaragua

On September 7, 2022, the Inter-American Commission on Human Rights submitted a request for Provisional Measures for the State: (i) to adopt forthwith the necessary measures to provide effective protection to the life, integrity, health, access to food, and liberty of 45 persons deprived of liberty in 8 detention centers and their direct families (the proposed beneficiaries), with a gender-based approach, as applicable, and (ii) to release immediately the 45 persons identified, deprived of their liberty in Nicaragua, owing to their severe and inhuman detention conditions, the lack of medical care, and the serious deterioration of their physical and mental health.

¹⁰⁴ Private Hearing for Supervision of Provisional Measures in the Vélez Loo v. Panama Case; Public Hearing on Provisional Measures and Supervision of Compliance with the Obligation to Investigate in the Valenzuela Ávila and Ruiz Fuentes v. Guatemala Cases. and Supervision of Compliance with the Obligation to Investigate in the Cases of Valenzuela Avila and Ruiz Fuentes v. Guatemala; joint hearing on the request for Provisional Measures in the Cases of Bámaca Velásquez, Maritza Urrutia, Plan de Sánchez Massacre, Chitay Nech et al., Río Negro Massacres, and Gudiel Álvarez et al. ("Diario Militar") v. Guatemala and public hearing in the Matter of 45 persons deprived of their liberty in eight detention centers with respect to Nicaragua and Matter of Juan Sebastián Chamorro et al. with respect to Nicaragua.

In an order of October 4, 2022, the Court noted that the 45 persons¹⁰⁵ to which this matter referred were in a grave and urgent situation owing to their detention conditions that violated their personal integrity and dignity. In addition, because the proposed beneficiaries had been identified as members of the opposition, they had become the target of threats from other inmates and the prison authorities. The Court also noted that, in some cases, such threats had resulted in assaults. In other words, these persons were in a situation of grave risk to their life and personal integrity.

Additionally, the Court determined that the detention conditions had endangered the health of the proposed beneficiaries, which had deteriorated during their detention. An example of this situation is the Case of Mr. Castro Baltodano, who had suffered a severe deterioration in his health owing to the lack of adequate medical care, to the point that he was currently in a critical condition in the Hospital Escuela Antonio Lenin Fonseca Martínez. In this regard, the Court has indicated that prison authorities must ensure that, when the nature of the medical condition so requires, health must be monitored regularly and systematically with the aim of curing the detainees' ailments or preventing their exacerbation, rather than merely treating the symptoms. However, according to information provided by the Commission, the proposed beneficiaries had not received adequate medical attention to treat their ailments, and this placed them in a situation of risk to their life, personal integrity and health.

The Court also determined that the women who form part of the group of proposed beneficiaries are in a situation of particular gravity and urgency, owing to the high probability of risks to their life, integrity and health. Indeed, in addition to enduring conditions similar to those of the other detainees, they do not have access to specific services for their differentiated needs.

Furthermore, the Court expressed its particular concern in relation to the situation described by the Commission according to which the female members of the family groups are being subjected to excessive body searches, nudity, and groping. One female family member had even been a victim of sexual violence. The Court also noted with great concern that children who go to the detention centers to visit their family members are being subjected to excessive body searches that include their genitals.

The Court found that the State had not provided information regarding the adoption of measure to address the situation described, despite its requests. Based on all the foregoing, the Court considered that there was sufficient evidence to determine the existence of a situation of extreme gravity and, therefore, the urgent need to adopt all necessary measures to avoid irreparable harm to the rights to life, personal integrity and health of the 45 persons.

Consequently, the Court found it necessary, owing to the exceptional circumstances of this matter, to order the immediate release of the 45 persons identified. In addition, the State should adopt the necessary measures to guarantee their life, integrity, health, adequate food, and personal liberty, as well as that of their family group.

105 (1) Jhon Cristopher Cerna Zúñiga; (2) Fanor Alejandro Ramos; (3) Edwin Antonio Hernández Figueroa; (4) Víctor Manuel Soza Herrera; (5) Michael Rodrigo Samorio Anderson; (6) Néstor Eduardo Montealto Núñez; (7) Francisco Xavier Pineda Guatemala; (8) Manuel de Jesús Sobalvarro Bravo; (9) Richard Alexander Saavedra Cedeño; (10) Luis Carlos Valle Tinoco; (11) Víctor Manuel Díaz Pérez; (12) Nilson José Membreño; (13) Edward Enrique Lacayo Rodríguez; (14) Maycol Antonio Arce; (15) María Esperanza Sánchez García; (16) Karla Vanessa Escobar Maldonado; (17) Samuel Enrique González; (18) Mauricio Javier Valencia Mendoza; (19) Jorge Adolfo García Arancibia; (20) Leyving Eliezer Chavarría; (21) Carlos Antonio López Cano; (22) Lester José Selva; (23) Eliseo de Jesús Castro Baltodano; (24) Kevin Roberto Solís; (25) José Manuel Urbina Lara; (26) Benjamín Ernesto Gutiérrez Collado; (27) Yubrank Miguel Suazo Herrera; (28) Yoel Ibzán Sandino Ibarra; (29) José Alejandro Quintanilla Hernández; (30) Marvin Antonio Castellón Ubilla; (31) Lázaro Ernesto Rivas Pérez; (32) Gustavo Adolfo Mendoza Beteta; (33) Denis Antonio García Jirón; (34) Danny de los Ángeles García González; (35) Steven Moisés Mendoza; (36) Wilber Antonio Prado Gutiérrez; (37) Walter Antonio Montenegro Rivera; (38) Max Alfredo Silva Rivas; (39) Gabriel Renán Ramírez Somarriba; (40) Wilfredo Alejandro Brenes Domínguez; (41) Marvin Samir López Ñamendis; (42) Irving Isidro Laríos Sánchez; (43) Roger Abel Reyes Barrera; (44) José Antonio Peraza Collado, and (45) Rusia Evelyn Pinto Centeno.

The Court also found that the situation described was in addition to the one examined recently in the Matter of Juan Sebastián Chamorro et al. with regard to Nicaragua.

Based on the above, in order to receive updated information on the implementation of the Provisional Measures adopted, the Court considered it necessary to call a public hearing to be held during its 154th Regular Session.

Here is the order of October 4, 2022.

2. Case of Gudiel Álvarez et al. (“Diario Militar”) v. Guatemala

On November 20, 2012, the Court delivered the Judgment on Merits, Reparations and Costs in the Case of Gudiel Álvarez et al. (“Diario Militar”) v. Guatemala. On June 14, 2022, the victims’ representatives submitted to the Court a request for Provisional Measures for the Court to require Guatemala to implement measures of protection “in favor of Judge Miguel Ángel Gálvez Aguilar, head of the Guatemalan Judiciary’s High Risk Court B.”

In an order of July 8, 2022, the President decided to require the State of Guatemala, in order to guarantee the right of access to justice of the victims in the Case of Gudiel Álvarez et al. (“Diario Militar”), to adopt immediately and individually, the necessary measures to provide effective protection to the rights to life and personal integrity of Judge Miguel Ángel Gálvez Aguilar, head of the Guatemalan Judiciary’s High Risk Court B, and also his direct family, and to guarantee the judicial independence of Judge Gálvez Aguilar. It also required the State to adjust the security strategy and measures assigned to Judge Miguel Ángel Gálvez Aguilar and his direct family.

On September 9, 2022, the Court decided to ratify the order of the President of July 8, 2022, on the adoption of urgent measures. Thus, it required the State of Guatemala to guarantee the right of access to justice to the victims in the Case of Gudiel Álvarez et al. (“Diario Militar”). It also ordered the State to continue adopting all appropriate measures to provide effective protection to the rights to life and personal integrity of Judge Miguel Ángel Gálvez Aguilar, head of the Guatemalan Judiciary’s High Risk Court B, and his direct family, and to adopt the necessary measures to guarantee the judicial independence of Judge Gálvez Aguilar. It also required the State to adopt the necessary measures to address the pattern of events that were increasing the risk to Judge Gálvez Aguilar, based on the indications in the considerations set out in the order. The Court ordered the State to maintain the security strategy and measures assigned to Judge Miguel Ángel Gálvez Aguilar and his direct family, and to continue adopting them by mutual agreement and in coordination with the beneficiary and his representatives.

Here are the orders of July 8, 2022, and September 9, 2022.

3. Matter of Members of the Yanomami, Ye’kwana and Munduruku Indigenous Peoples with regard to Brazil

On May 17, 2022, the Inter-American Commission submitted a request for Provisional Measures to the Court. The request did not originate from a case that the Court was examining, but rather in the context of two Precautionary Measures adopted by the Inter-American Commission in July and December 2020, to benefit the members of the Yanomami and Ye’kwana indigenous peoples who live in the Yanomami Indigenous Territory, and the members of the Munduruku indigenous people, who live in the Munduruku Territories, Sai Cinza, Kayabi, the Praia do Índio and Praia do Mangue Reserves, Sawré Muybu and Sawré Bapin.

In an order of July 1, 2022, the Court noted that the members of the Yanomami, Ye'Kwana and Munduruku indigenous peoples were subject to a significant increase in exploitation of the so-called illegal mining activity on indigenous lands by third parties who were not authorized to enter their territory, among others, and this was resulting in: (i) the murder of indigenous adults and children, as well as deaths derived from mining operations; (ii) sexual violence against indigenous women and girls; (iii) threats against indigenous leaders, some of whom play a very important role in the community; (iv) non-voluntary displacement of some indigenous communities threatened by the ever-closer presence of "garimpeiros" and by the products of their activities; (v) the dissemination of diseases among the population, especially due to Covid-19 infections, given their particular immunological vulnerability, and (vi) the pollution of the rivers that contribute to the survival of the indigenous peoples, especially with mercury – as a result of gold mining – and deforestation, which severely impacts the health and food security of the proposed beneficiaries. The Court also took into consideration reports that the threats, harassment, murders and Cases of rape of indigenous women and girls had continued and possibly increased while the Precautionary Measures were in effect.

The Court noted the complexity of the situation described by the Commission and considered that the information presented revealed, *prima facie*, a situation of extreme gravity and urgency because, despite measures of protection having been ordered at the domestic level and Precautionary Measures by the Commission, the members of the Yanomami, Ye'Kwana and Munduruku indigenous peoples were subject to a series of threats, physical and sexual violence, vandalism, and gunfire, the pollution of their rivers, affecting their health and their access to drinking water and food, which appeared to be increasing owing to the presence of unauthorized individuals and the increase in the exploitation of so-called illegal mining in their territories. Therefore, the Court considered that there was an urgent need to adopt the necessary measures to avoid irreparable harm to the rights to life, personal integrity, health and access to food and drinking water of the members of the Yanomami, Ye'Kwana and Munduruku indigenous peoples. In view of the alleged increase and intensification of the violence against them, and the absence of effective measures by the State of Brazil to mitigate the situation, there was a latent risk that this harm would continue and escalate.

Consequently, the Court ordered the State of Brazil to adopt the necessary measures to provide effective protection to the life, personal integrity, health and access to food and drinking water of the members of the Yanomami, Ye'Kwana and Munduruku indigenous peoples, from a culturally appropriate perspective, with an age and gender-based approach. It also required the State to adopt the necessary measures to prevent the sexual exploitation and violence of the women and girls of the beneficiary indigenous peoples, and also to adopt culturally appropriate measures to prevent the propagation and to mitigate the contagion of diseases, especially Covid-19, providing the beneficiaries with adequate medical care in keeping with the applicable international norms. The Court also required the State to adopt the necessary measures to protect the life and personal integrity of the indigenous leaders of the beneficiary indigenous peoples who have been threatened, and to require the State to coordinate immediately the planning and implementation of the foregoing measures with the representatives of the beneficiaries and to keep them informed of any progress in their execution.

4. Cases of Bámaca Velásquez, Maritza Urrutia, Plan De Sánchez Massacre, Chitay Nech et al., Río Negro Massacres, and Gudiel Álvarez et al. ("Diario Militar") v. Guatemala

The Inter-American Court delivered judgments on Merits, Reparations and Costs on February 22, 2002, in the Case of Bámaca Velásquez; on November 27, 2003, in the Case of Maritza Urrutia; on November 19, 2004, in the Case of the Plan de Sánchez Massacre; on May 25, 2010, in the Case of Chitay Nech et al.; on

September 4, 2012, in the Case of the Río Negro Massacres, and on November 20, 2012, in the Case of Gudiel Álvarez et al. (“Diario Militar”), all against Guatemala. On June 21, 2022, the victims’ representatives submitted a request for Provisional Measures for the Court to require Guatemala to implement measures of protection “in favor of Elena Gregoria Sut Ren, head prosecutor of the Guatemalan Human Rights Prosecution Service, who was involved in the investigation into the said six cases, and her family, in order to avoid irreparable harm to their rights to life and personal integrity, and her independence in the exercise of her functions, as well as the right of access to justice of the victims in those cases.

On July 11, 2022, the President of the Inter-American Court issued an order requiring the State of Guatemala, until the full Court could decide on the request for Provisional Measures, to adopt, immediately, all necessary urgent measures to provide effective protection to the rights to life and personal integrity of prosecutor Elena Gregoria Sut Ren and here direct family, and to guarantee her independence in the exercise of her functions and, thereby, guarantee the right of access to justice of the victims.

On November 22, 2022, the Court decided to ratify the order of the President of July 11, 2022, on the adoption urgent measures. Consequently, in order to guarantee the victims’ right of access to justice, it required the State of Guatemala to continue adopting all appropriate measures to provide effective protection to the rights to life and personal integrity of Elena Gregoria Sut Ren, head prosecutor of the Guatemalan Human Rights Prosecution Service, and also her direct family. It also ordered the State to adopt the necessary measures to guarantee prosecutor Sut Ren’s independence in the exercise of her functions. The State was also required to adopt the necessary measures to address the pattern of events that had resulted in an increase in the risk faced by prosecutor Sut Ren, as indicated in the considering paragraphs of the order, and to maintain the security strategy and measures assigned to Elena Gregoria Sut Ren, and also her direct family, and to continue adopting them by mutual agreement and in coordination with the beneficiary and her representatives.

Here are the orders of [July 11, 2021](#) and [November 22, 2022](#).

B. Requests for Provisional Measures channeled through monitoring compliance with Judgment

1. Cases of Barrios Altos and La Cantuta v. Peru

The victims’ representatives in the Cases of Barrios Altos and La Cantuta, both v. Peru submitted a request for Provisional Measures on March 16 and 17, 2022. The representatives related their request to the obligation to investigate, prosecute and punish, ordered in both cases, and asked that the Court:

[...] order the Peruvian State to refrain from adopting measures aimed at guaranteeing the impunity of the persons who had been convicted in those cases in order to ensure access to justice for the victims and to avoid delays in complying with its international obligations[;]

[...] convene [...] a public hearing [, and]

[i]f instructions are given to release Fujimori Fujimori, to issue an order establishing that these are null and void based on its Case Law and the decision of May 30, 2018, in the cases in reference.

During the processing of the request for Provisional Measures, the parties advised that, on March 28, 2022, a judgment had been published on the Constitutional Court’s website declaring admissible an application for habeas corpus in favor of Alberto Fujimori which reinstated the effects of a resolution granting him a pardon “on humanitarian grounds” and ordering his “immediate release.”

Consequently, on March 30, 2022, the Court adopted a first order on the request for Provisional Measures, in which it required Peru to “refrain from executing the order of the Peruvian Constitutional Court requiring the release of Alberto Fujimori Fujimori until this Court is able to decide on the request for Provisional Measures during its 147th Regular Session,” and convened a public hearing which was held virtually on April 1, 2022.

On April 7, 2022, the Court adopted a second order on the request for Provisional Measures and monitoring compliance with Judgment. In that order, the Court underscored that “the Provisional Measures requiring that no action be taken in its order of March 30, 2022, [...], met their objective that the immediate release of Mr. Fujimori ordered in the Judgment of the Constitutional Court was not executed until this international court was able to examine the merits of the request and issue a decision on them.” It also indicated that “at this time, it is not appropriate to order Provisional Measures in these cases, but rather channel the analysis of the situation through monitoring compliance with the Judgments.”

The Court also decided to require the State of Peru, in order to guarantee the right of access to justice of the victims in the Barrios Altos and La Cantuta cases, to refrain from executing the order of the Peruvian Constitutional Court requiring the release of Alberto Fujimori Fujimori, “until this international court is able to decide on the request for Provisional Measures during its 147th Regular Session.”

The above requirement was made in relation to the said obligation to investigate, prosecute and punish because, in 2009, Alberto Fujimori had been sentenced to 25 years’ imprisonment for his participation, by having command responsibility, in the crimes of murder and severe injuries to the detriment of the victims in the Barrios Altos and La Cantuta cases, and those crimes had been classified as “crimes against humanity under international criminal law.” The Inter-American Court had assessed this positively in its 2009 and 2012 orders on monitoring compliance with Judgment. Consequently, to ensure that irreversible harm did not occur to the victims’ right of access to justice before it is able to examine the Provisional Measures that were requested, the Court decided to order the State of Peru to refrain from executing the order of the Peruvian Constitutional Court requiring the release of Alberto Fujimori Fujimori.

Here are the orders of [March 30](#) and [April 7, 2022](#).

2. Case of J. v. Peru

During the stage of monitoring compliance with Judgment in the Case of J. v. Peru, the victims’ representative submitted a request for Provisional Measures dated April 14, 2022. In this request, he asked the Court to adopt Provisional Measures in favor of J. to protect her rights “to personal liberty and due process,” and related the request to a measure of reparation ordered in the Judgment which required the State to “ensure that, in the proceedings against J., all the requirements of due process of law are followed, with full guarantees of a hearing and defense for the accused.”

On June 24, 2022, the Court issued an order in relation to the request for Provisional Measures and monitoring compliance with Judgment. In it, the Court noted that the representative’s request was closely connected to the measure of reparation ordered and to the criteria to be observed by the State in its implementation. Therefore, it considered that “the information and arguments set out by the representative in the request for Provisional Measures should be assessed within the framework of monitoring compliance with the Judgment in question and not under an analysis of the Convention-based requirements for Provisional Measures,” and declared inadmissible the adoption of the Provisional Measures requested.

Here is the order of [June 24, 2022](#).

3. Case of the Dismissed Workers of Petroperu et al. v. Peru

On November 23, 2017, the Court delivered the Judgment on Preliminary Objections, Merits, Reparations and Costs in the Case of the Dismissed Workers of Petroperu et al. v. Peru. On August 11, 2022, a common intervenor for the victims' representatives submitted a request for Provisional Measures to the Court.

The request related to the need for financial assistance, on the one hand, to pay for the expenses of an elderly victim owing to his significant health problems and, on the other, to cover the expenses of a dignified burial for an heir of a deceased victim. The intervenor argued that the deterioration in health of those persons and their "precarious financial situation" were related to the fact that the State had not paid the compensation ordered in the Judgment that corresponded to them: to Gerry Quevedo as the heir of his father, a victim in the case. The intervenor requested Provisional Measures to protect the "rights to health, life and integrity" and "the right to a dignified burial."

On August 9, 2022, the President of the Inter-American Court advised the parties and the Inter-American Commission in a Secretariat note that the request for Provisional Measures was inadmissible because it "bore no relationship to the purpose of the case," in the terms of Article 27(3) of the Court's Rules of Procedure.

On September 9, 2022, the Court issued an order in which it considered that the said request, which claimed to protect the right to health and a dignified burial, was inadmissible because it "bore no relationship to the purpose of the case," in the terms of Article 27(3) of the Court's Rules of Procedure. This was because: (a) the situation and health care of the victims and their family members had not been the subject of an analysis in the Judgment or in the reparation ordered; (b) the dignified burial of a victim or his family members was not a reparation ordered in the Judgment, and (c) reparations were not established in favor of the victims' family members, other than receiving the amount that corresponded to them as heirs of deceased victims.

The Court also considered that payment of the compensation for pecuniary and non-pecuniary damage established in favor of the victims Helber Roel Romero Rivera and Leither Quevedo Saavedra, and the distribution of the compensation due to the latter victim among his heirs corresponded to monitoring compliance with Judgment. Consequently, the Court found it inadmissible to adopt the Provisional Measures requested in this case. The information and arguments submitted by the common intervenor, the State and the Commission must be assessed in the context of monitoring compliance with the Judgment and not under an analysis of the Convention-based requirements for Provisional Measures.

C. Requests for Provisional Measures rejected

1. Case of García Rodríguez et al. v. México

On August 25, 2022, the Court issued an order on Provisional Measures in which it decided to reject the request for Provisional Measures in favor of Daniel García Rodríguez and Reyes Alpizar Ortiz, considering that it was not possible to discern, *prima facie*, that Daniel García Rodríguez and Reyes Alpizar Ortiz were – as required by Article 63(2) of the American Convention – in a situation of "extreme gravity and urgency" related to the possibility of "irreparable harm."

Here is the order of [March 23, 2022](#).

2. Case of García and family members v. Guatemala

On November 22, 2022, the Court issued an order on Provisional Measures and monitoring compliance with Judgment in which it decided to declare inadmissible the request for Provisional Measures submitted by the representatives of the victims in this case, considering that it was not possible to discern the existence of sufficient evidence to determine that a situation had been constituted, *prima facie*, of extreme gravity and the urgent need for the Court to order the adoption of measures to avoid irreparable harm to the rights to life, personal integrity and Assembly in favor of those who requested the Provisional Measures.

3. Case of the Tagaeri and Taromenane Indigenous Peoples v. Ecuador

On October 18, 2022, the Court issued an order on Provisional Measures in which it decided to reject the request for Provisional Measures in favor of Tewe Dayuma Michela Conta, considering that the events denounced by the representatives of the alleged victim did not allow it to discern, *prima facie*, that they met the requirements of “extreme gravity and urgency” related to the possibility of “irreparable harm,” as required by Article 63(2) of the American Convention, and insufficient arguments and evidence had been presented to allow the Court to determine that a situation of sufficient gravity existed that jeopardized fundamental rights or that was irreparable.

Here is the order of [October 18, 2022](#).

D. Measures lifted

1. Case of Vélez Loor v. Panama

On May 25, 2022, following an on-site visit to the province of Darién and a private hearing in Panama City, on March 17 and 18, 2022, the Court issued an order in the Case of Vélez Loor v. Panama in which it decided to lift the Provisional Measures ordered in the second and third operative paragraph of the order of July 29, 2020, and in the first, second and fourth operative paragraphs of the order of June 24, 2021.

The Court considered that “at the present time, the situation of extreme gravity related to the COVID-19 pandemic that existed when these measures were adopted no longer exists,” and noted the important actions taken by the State while the measures were in force to guarantee the life, integrity and health of the migrants covered by the measures. Therefore, it decided “[t]o lift the Provisional Measures ordered” and “[t]o declare that the Court will continue monitoring compliance with the reparation ordered [...], despite lifting the Provisional Measures,” and to close the case file.

Here is the order of [May 25, 2022](#).

E. Contempt of court and presentation of the situation to the OAS Permanent Council and the General Assembly (application of Article 65)

1. Matter of Juan Sebastián Chamorro et al. with regard to Nicaragua

On May 25, 2022, in the context of the Provisional Measures adopted on June 24, 2021, and expanded by orders of September 9 and November 4 that year, the Court decided to require the State to proceed to the immediate release of 9 persons.¹⁰⁶ It also required the State to adopt immediately the necessary measures to provide effective protection to the life, integrity and liberty of the persons identified in the order and their direct family in Nicaragua.

On September 7, 2022, the Inter-American Commission on Human Rights presented a request for Provisional Measures, for the Court to require the Republic of Nicaragua to adopt forthwith the necessary measures to protect the life, personal integrity, health and personal liberty of 45 persons including their direct family members in Nicaragua. In an order of October 4, 2022, the Court concluded that there was sufficient evidence to determine the existence of a situation of extreme gravity and, therefore, the urgent need to adopt all necessary measures to avoid irreparable harm to the rights to life, personal integrity and health of the 45 persons¹⁰⁷ and their direct family members in Nicaragua. The Court also found it necessary to convene a public hearing to be held on November 9, 2022, in order to receive updated information on the implementation of the Provisional Measures ordered.

106 (1) Michael Edwing Healy Lacayo, (2) Álvaro Javier Vargas Duarte, (3) Medardo Mairena Sequeira, (4) Pedro Joaquín Mena Amador, (5) Jaime José Arellano Arana, (6) Miguel Ángel Mendoza Urbina, (7) Mauricio José Díaz Dávila, (8) Max Isaac Jerez Meza and (9) Edgar Francisco Parrales.

107 (1) Jhon Christopher Cerna Zúñiga; (2) Fanor Alejandro Ramos; (3) Edwin Antonio Hernández Figueroa; (4) Víctor Manuel Soza Herrera; (5) Michael Rodrigo Samorio Anderson; (6) Néstor Eduardo Montealto Núñez; (7) Francisco Xavier Pineda Guatemala; (8) Manuel de Jesús Sobalvarro Bravo; (9) Richard Alexander Saavedra Cedeño; (10) Luis Carlos Valle Tinoco; (11) Víctor Manuel Díaz Pérez; (12) Nilson José Membreño; (13) Edward Enrique Lacayo Rodríguez; (14) Maycol Antonio Arce; (15) María Esperanza Sánchez García; (16) Karla Vanessa Escobar Maldonado; (17) Samuel Enrique González; (18) Mauricio Javier Valencia Mendoza; (19) Jorge Adolfo García Arancibia; (20) Leyving Eliezer Chavarría; (21) Carlos Antonio López Cano; (22) Lester José Selva; (23) Eliseo de Jesús Castro Baltodano; (24) Kevin Roberto Solís; (25) José Manuel Urbina Lara; (26) Benjamín Ernesto Gutiérrez Collado; (27) Yubrank Miguel Suazo Herrera; (28) Yoel Ibzán Sandino Ibarra; (29) José Alejandro Quintanilla Hernández; (30) Marvin Antonio Castellón Ubilla; (31) Lázaro Ernesto Rivas Pérez; (32) Gustavo Adolfo Mendoza Beteta; (33) Denis Antonio García Jirón; (34) Danny de los Ángeles García González; (35) Steven Moisés Mendoza; (36) Wilber Antonio Prado Gutiérrez; (37) Walter Antonio Montenegro Rivera; (38) Max Alfredo Silva Rivas; (39) Gabriel Renán Ramírez Somarriba; (40) Wilfredo Alejandro Brenes Domínguez; (41) Marvin Samir López Namendis; (42) Irving Isidro Larios Sánchez; (43) Roger Abel Reyes Barrera; (44) José Antonio Peraza Collado, and (45) Rusia Evelyn Pinto Centeno.

Subsequently, in an order of November 22, 2022, the Court decided to maintain the Provisional Measures that it had required in its orders of June 24, September 9, November 4 and 22, 2021, and May 25 and October 4, 2022, in favor of 76 persons and their direct families in Nicaragua.¹⁰⁸

The Court also decided to denounce the State's non-compliance with the measures required in the orders of June 24, September 9, and November 4 and 22, 2021, and May 25 and October 4, 2022, issued by this Court, and the failure of the State of Nicaragua to appear at the joint public hearing convened by the Court on November 9, 2022; to instruct the President of the Court to present in person to the Permanent Council of the Organization of American States a report on the situation of permanent contempt of court and absolute lack of protection in which the beneficiaries of the Provisional Measures identified in the sixth operative paragraph find themselves; to urge the OAS Permanent Council, in application of the collective guarantee, to follow up on the failure to comply with these Provisional Measures and on the situation of the persons identified in the sixth operative paragraph and to require the State to comply with the measures ordered by this Court, and to incorporate into the next Annual Report of the Inter-American Court of Human Rights the decisions taken in this order so as to inform the General Assembly of the Organization of American States, in application of Article 65 of the American Convention on Human Rights, of the non-compliance by the State of Nicaragua with the measures required in the orders of November 4 and 22, 2021, and May 25 and October 4, 2022.

Here are the orders of May 25, 2022, October 4, 2022 and November 22, 2022.

CURRENT STATUS OF PROVISIONAL MEASURES

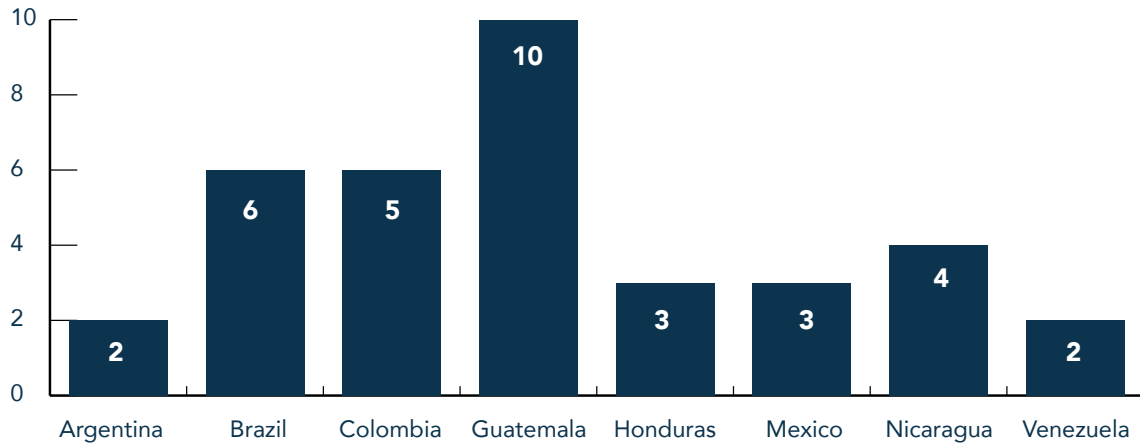
No.	Name	State	Year
1	Torres Miacura et al.	Argentina	2017
2	Matter of Milagro Sala with regard to Argentina	Argentina	2017
3	Matter of the Socio-educational Internment Unit with regard to Brazil	Brazil	2011

108 1. Juan Sebastián Chamorro García, 2. José Adán Aguerri Chamorro, 3. Félix Alejandro Maradiaga Blandón, 4. Violeta Mercedes Granera Padilla, 5. Daisy Tamara Dávila Rivas, 6. Lesther Lenin Alemán Alfaro, 7. Freddy Alberto Navas López, 8. Cristiana María Chamorro Barrios, 9. Pedro Joaquín Chamorro Barrios, 10. Walter Antonio Gómez Silva, 11. Marcos Antonio Fletes Casco, 12. Lourdes Arróliga, 13. Pedro Salvador Vásquez, 14. Arturo José Cruz Sequeira, 15. Luis Alberto Rivas Anduray, 16. Miguel de los Ángeles Mora Barberena, 17. Dora María Téllez Arguello, 18. Ana Margarita Vijil Gurdían, 19. Suyen Barahona Cuán, 20. Jorge Hugo Torres Jiménez, 21. Víctor Hugo Tinoco Fonseca, 22. José Bernard Pallais Arana, 23. Michael Edwing Healy Lacayo, 24. Álvaro Javier Vargas Duarte, 25. Medardo Mairena Sequeira, 26. Pedro Joaquín Mena Amador, 27. Jaime José Arellano Arana, 28. Miguel Ángel Mendoza Urbina, 29. Mauricio José Díaz Dávila, 30. Max Isaac Jerez Meza, 31. Edgar Francisco Parrales, 32. Jhon Christopher Cerna Zúñiga, 33. Fanor Alejandro Ramos, 34. Edwin Antonio Hernández Figueroa, 35. Víctor Manuel Soza Herrera, 36. Michael Rodrigo Samorio Anderson, 37. Néstor Eduardo Montealto Núñez, 38. Francisco Xavier Pineda Guatemala, 39. Manuel de Jesús Sobalvarro Bravo, 40. Richard Alexander Saavedra Cedeño, 41. Luis Carlos Valle Tinoco, 42. Víctor Manuel Díaz Pérez, 43. Nilson José Membreño, 44. Edward Enrique Lacayo Rodríguez, 45. Maycol Antonio Arce, 46. María Esperanza Sánchez García, 47. Karla Vanessa Escobar Maldonado, 48. Samuel Enrique González, 49. Mauricio Javier Valencia Mendoza, 50. Jorge Adolfo García Arancibia, 51. Leyving Eliezer Chavarría, 52. Carlos Antonio López Cano, 53. Lester José Selva, 54. Eliseo de Jesús Castro Baltodano, 55. Kevin Roberto Solís, 56. José Manuel Urbina Lara, 57. Benjamín Ernesto Gutiérrez Collado, 58. Yubrank Miguel Suazo Herrera, 59. Yoel Ibzán Sandino Ibarra, 60. José Alejandro Quintanilla Hernández, 61. Marvin Antonio Castellón Ubilla, 62. Lázaro Ernesto Rivas Pérez, 63. Gustavo Adolfo Mendoza Beteta, 64. Denis Antonio García Jirón, 65. Danny de los Ángeles García González, 66. Steven Moisés Mendoza, 67. Wilber Antonio Prado Gutiérrez, 68. Walter Antonio Montenegro Rivera, 69. Max Alfredo Silva Rivas, 70. Gabriel Renán Ramírez Somarriba, 71. Wilfredo Alejandro Brenes Domínguez, 72. Marvin Samir López Ñamendis, 73. Irving Isidro Larios Sánchez, 74. Roger Abel Reyes Barrera, 75. José Antonio Peraza Collado, and 76. Rusia Evelyn Pinto Centeno.

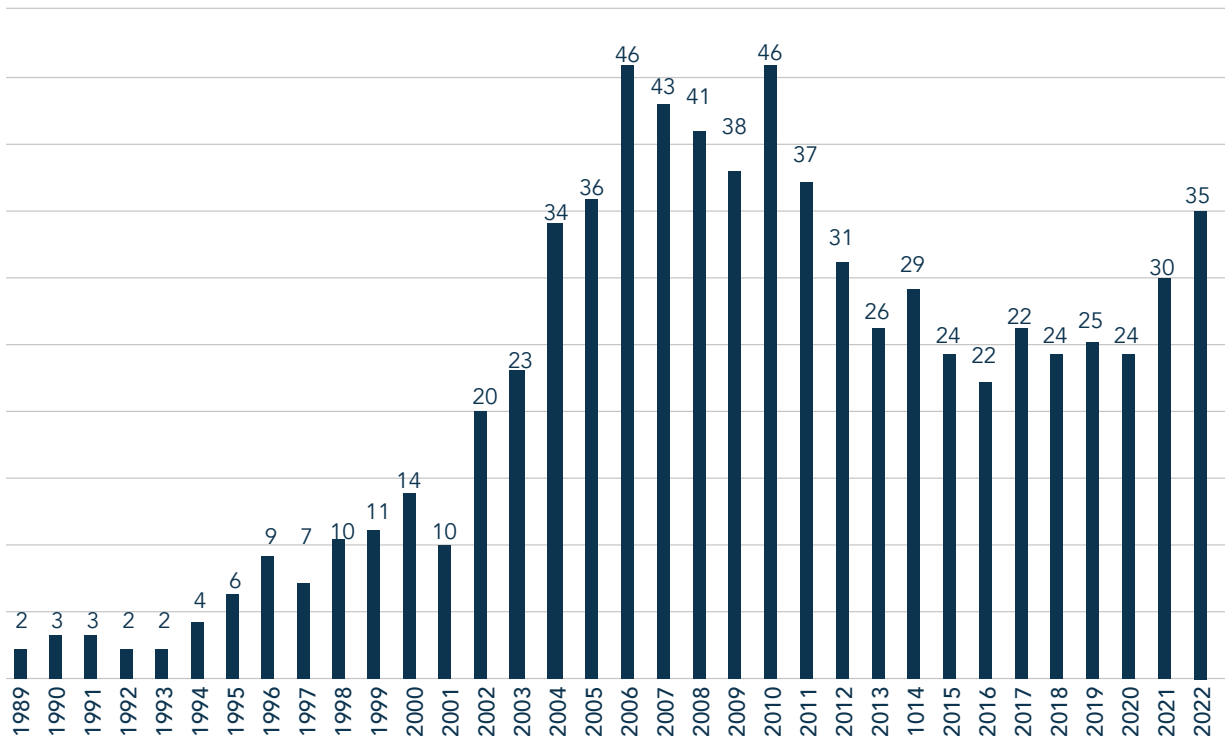
No.	Name	State	Year
4	Matter of the Curado Prison with regard to Brazil	Brazil	2014
5	Matter of the Pedrinhas Prison with regard to Brazil	Brazil	2014
6	Matter of the Plácido de Sá Carvalho Prison with regard to Brazil	Brazil	2017
7	Case of Tavares Pereira et al. v. Brazil	Brazil	2021
8	Matter of Members of the Yanomami, Ye'kwana and Munduruku Indigenous Peoples	Brazil	2022
9	Matter of Almanza Suárez with regard to Colombia	Colombia	1997
10	Matter of the Peace Community of San José de Apartadó with regard to Colombia	Colombia	2000
11	Matter of Mery Naranjo et al. v. Colombia	Colombia	2006
12	Case of the 19 Traders v. Colombia	Colombia	2010
13	Matter of Danilo Rueda with regard to Colombia	Colombia	2014
14	Case of Bámaca Velásquez v. Guatemala	Guatemala	1998
15	Matter of the Guatemalan Forensic Anthropology Foundation with regard to Guatemala	Guatemala	2007
16	Case of Mack Chang et al. v. Guatemala	Guatemala	2009
17	Case of Members of the village of Chichupac, Case of Molina Theissen and another 12 cases against Guatemala	Guatemala	2019
18	Case of Valenzuela Ávila and Ruíz Fuentes et al. v. Guatemala	Guatemala	2021
19	Case of Gudiel Álvarez et al. ("Diario Militar")	Guatemala	2022
20	Case of Maritza Urrutia	Guatemala	2022
21	Case of the Plan de Sánchez Massacre	Guatemala	2022

No.	Name	State	Year
22	Case of Chitay Nech et al.	Guatemala	2022
23	Case of the Río Negro Massacres	Guatemala	2022
24	Case of Fernández Ortega v. México	México	2012
25	Case of the Punta Piedra Garifuna Community and its members and the Triunfo de la Cruz Garifuna Community and its members	Honduras	2021
26	Case of Kawas Fernández	Honduras	2008
27	Case of Vicky Hernández et al.	Honduras	2020
28	Matter of Castro Rodríguez with regard to México	México	2013
29	Matter of the Choréachi Indigenous Community with regard to México	México	2017
30	Matter of the Inhabitants of the Communities of Miskitu Indigenous People with regard to Nicaragua	Nicaragua	2016
31	Matter of Members of the Nicaraguan Human Rights Center and of the Permanent Human Rights Commission	Nicaragua	2019
32	Matter of Juan Sebastián Chamorro et al. v. Nicaragua	Nicaragua	2021
33	Matter of 11 persons deprived of liberty in 3 detention centers and their direct families, within the framework of the Provisional Measures adopted in the Matters of Juan Sebastián Chamorro et al. and 45 personas deprived of their liberty in 8 detention centers	Nicaragua	2022
34	Case of the Barrios family	Venezuela	2004
35	Matter of certain Venezuelan prisons	Venezuela	2009

ACTIVE INTERIM MEASURES, BY STATE, BY THE END OF 2022



Active interim measures per year by the end of 2022



CURRENT STATUS OF INTERIM MEASURES





Advisory function

VIV

VII. Advisory function

During 2021-22, the Court issued one Advisory Opinion and is currently examining one request.

A. Advisory Opinion issued in 2022

Number:	OC-29 / 22
Subject:	Differentiated approaches with respect to certain groups of persons deprived of liberty
Interpretation and scope of Articles:	1(1), 4(1), 5, 11(2), 12, 13, 17(1), 19, 24 and 26 of the American Convention on Human Rights and other human rights instruments)
Date issued:	May 30, 2022
Date of hearing:	April 19, 20, 21 and 22, 2021
Number of participants:	86
Written received	100 written, including 11 from national courts

On May 30, the Court issued an Advisory Opinion in response to a request submitted by the Inter-American Commission on Human Rights on November 25, 2019, regarding whether it was possible to justify, based on Articles 24 and 1(1) of the Convention, the need to adopt differentiated approaches or measures with respect to certain groups of persons deprived of liberty to guarantee that their specific circumstances do not affect the equality of their conditions with those of other persons deprived of liberty - this relates to both their detention conditions, and the remedies filed to protect their rights in the context of the deprivation of liberty. The Commission also asked the Court to interpret the specific impact of the content of the rights established in those articles on the scope of the correlative obligations of the States in this matter.

The Court reiterated that respect for human dignity constituted a general principle of the proper treatment of persons deprived of liberty and determined that it would interpret that principle in conjunction with the principle of equality and non-discrimination, identifying the specific obligations required for the decent treatment that the groups of persons deprived of liberty that are the subject of the request should receive, namely: (A) pregnant women, during labor, birth, postpartum, and breastfeeding, and also those who are the principal caregivers; (B) children living in prisons with their mothers or principal caregivers; (C) LGBTI persons; (D) members of indigenous peoples, and (E) older persons.

In this regard, the Court presented general considerations on: (A) respect for human dignity as a general principle of the proper treatment of persons deprived of liberty and conditions of deprivation of liberty; (B) prohibition and prevention of torture and other cruel, inhuman or degrading treatment; (C) purpose of the oversight of sentences in the American Convention; (D) judicial control in the oversight of sentences; (E) right to equality and non-discrimination, differentiated approach and intersectionality; (F) access to basic services for a life with dignity in prison, identifying the international obligations in relation to the rights to health, adequate food and potable water during the deprivation of liberty; (G) generalized overpopulation and overcrowding; (H) prison management and, (I) context caused by the COVID-19 pandemic and the particular harm to certain groups in the prison system.

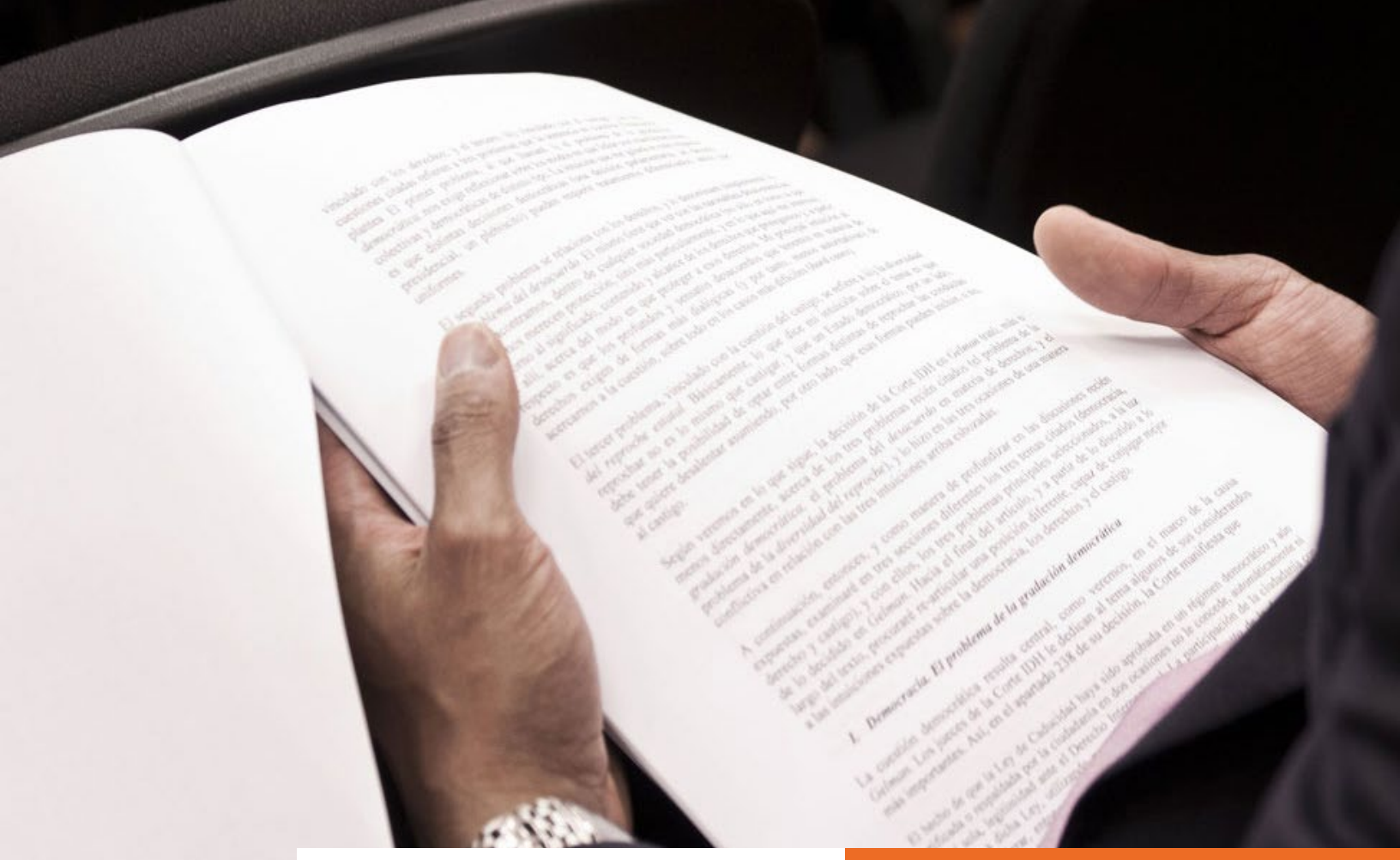
The Court also determined that States must apply a differentiated approach based on the special needs of the diverse population groups deprived of liberty to ensure that the sentence is executed in a way that respects human dignity. The Court considered that the application of a differentiated approach in prison policies would enable identifying how the characteristics of the population group and the prison environment condition the guarantee of the rights of certain groups of persons deprived of liberty who are minorities and marginalized in prison, and determine the specific risks of the violation of their rights, based on their particular characteristics and needs, in order to define and implement a series of specific measures to overcome the discrimination (structural and intersectional) that affects them. The Court established that, by not adopting this approach, States would be in violation of Article 5(2) of the American Convention on Human Rights and other specific treaties and it could result in treatment that was contrary to the prohibition of torture and other cruel, inhuman or degrading treatment or punishment.

The text of the Advisory Opinion is available [here](#).

B. Advisory Opinions being processed

- **Activities of private arms manufacturers and their impact on human rights**

On November 11, 2022, the State of Mexico submitted to the Inter-American Court of Human Rights a request for an Advisory Opinion on “the activities of private arms manufacturers and their impact on human rights.”



Developments in the Court's Case Law

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VIII. Developments in the Court's Case Law 2022

This section highlights the aspects on which the Inter-American Court has developed new standards during 2022, as well as relevant criteria from the Case Law already established by the Court. These Case Law standards are very important for national authorities to be able to apply an adequate control of conventionality within their respective spheres of competence.

In this regard, The Court has established that all State authorities are obliged to exercise a “control of conventionality” *ex officio* to ensure conformity between domestic law and the American Convention, evidently within their respective spheres of competence and the corresponding procedural regulations. This relates to the analysis that the State’s organs and agents must make (in particular, judges and other agents of justice) of the compatibility of domestic norms and practices with the American Convention. In their specific decisions and actions, these organs and agents must comply with the general obligation to safeguard the rights and freedoms protected by the American Convention, ensuring that they do not apply domestic legal provisions that violate this treaty, and also that they apply the treaty correctly, together with the Case Law standards developed by the Inter-American Court, ultimate interpreter of the American Convention.

This section is divided into the substantive rights established in the American Convention on Human Rights that incorporate these standards and that develop their meaning and scope. In addition, subtitles have been included that highlight the issues presented, and the content includes references to specific judgments from which the Case Law was extracted.

ARTICLE 1 (OBLIGATION TO RESPECT AND TO ENSURE RIGHTS)

- **The attribution of responsibility to the State**

In the Case of Members and Militants of the Patriotic Union v. Colombia, the Court reiterated that the international responsibility of the State may be based on acts or omissions of any power or organ of the State that violate the American Convention, and is generated immediately with the international wrong attributed. In turn, the Court has indicated that an internationally wrongful act exists when a conduct consisting of an act or omission (a) is attributable to the State under international law, and (b) constitutes a breach of an international obligation of the State.¹⁰⁹

A violation of the human rights protected by the Convention may engage the international responsibility of a State Party for a breach of the duty to respect rights contained in Article 1(1) of the Convention either because the violation is perpetrated by its own agents or - even if at first they are not directly attributable to the State because they were committed by a private individual - when the unlawful act was committed with the participation, support or tolerance of State agents.¹¹⁰

¹⁰⁹ Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 256.

¹¹⁰ Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 260.

Regarding the content of the obligation to guarantee rights under Article 1(1) of the Convention, in the Case of Members and Militants of the Patriotic Union v. Colombia, the Court pointed out that it implies the duty of States Parties to organize the entire governmental apparatus and, in general, all the structures through which the exercise of public power is manifested, in such a way that they are capable of ensuring by law the free and full exercise of human rights. As a result of this obligation, States must prevent, investigate and punish any violation of the rights recognized by the Convention and also seek the reestablishment, if possible, of the violated right and, if appropriate, the reparation of the harm caused by the violation of human rights.¹¹¹

These obligations are also applicable to acts of non-State actors. Specifically, the Court has indicated that the State's international responsibility may arise from the attribution to it of acts that violate human rights committed by third parties or individuals. The erga omnes obligations of States to respect and guarantee the norms of protection, and to ensure the effectiveness of rights, project their effects beyond the relationship between their agents and the persons subject to their jurisdiction, since these are manifested by the positive obligation of the State to adopt the necessary measures to ensure the effective protection of human rights in relations between individuals.¹¹²

In addition, in the Case of Members and Militants of the Patriotic Union v. Colombia, the Court emphasized that investigating cases involving violations of the right to life is a central element when determining the international responsibility of the State and that this obligation arises from the guarantee of Article 1(1) of the Convention. If, in contexts of gross human rights violations, important flaws in the investigation of facts are proved that are perpetuated by impunity, this will mean that the obligation to protect the right to life has not been met. Similarly, in certain contexts and circumstances, the absence of effective mechanisms for investigating violations of the right to life and the weakness of justice systems to address such violations can lead to generalized situations or serious patterns of impunity, thus encouraging and perpetuating the repetition of violations.¹¹³

In the Case of Members and Militants of the Patriotic Union v. Colombia, the Court underscored the relationship between the duty to guarantee the rights contained in the Convention and the duty to investigate. In effect, a fundamental part of the State's lack of response was a consequence of its sustained ineffectiveness in seriously and diligently investigating the repeated acts of violence and the situation of impunity in which these acts of violence took place. This situation resulted in the State's failure to clarify promptly the reasons for the growing phenomenon of harassment, unravel the criminal structures involved and the different perpetrators, and effectively identify the sources of risk in order to set in motion its entire state apparatus to dismantle them and prevent the continuation of the extermination that was occurring under its jurisdiction.¹¹⁴

The Court added that, in this case, these failures in the duty to prevent or to investigate had effects that extended beyond an omission constituting indirect responsibility on the part of the State and operated as a form of generalized and structural tolerance of the acts of violence against the members of the Patriotic Union, which encouraged their persistence. Thus, in the particular circumstances of the case, they formed part of the general context that enabled the violation of the duty to respect rights. Likewise, taking into account the systematicity and seriousness of these breaches of the duty to investigate and to prevent,

111 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 261.

112 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 262.

113 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 265.

114 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 286.

it could be considered that they reached such a level that they implied a state conduct that favored impunity, to the point of constituting a form of systematized tolerance of the acts of violence against the members and militants of the Patriotic Union.¹¹⁵

ARTICLE 1 (OBLIGATION TO RESPECT AND TO ENSURE RIGHTS) AND ARTICLE 24 (EQUALITY BEFORE THE LAW)

- **The social model of disability and the prohibition of discriminating against persons with disabilities**

In the Case of Guevara Díaz v. Costa Rica, the Court reiterated that while the general obligation set forth in Article 1(1) addresses the State's duty to respect and guarantee, "without discrimination," the rights set forth in the American Convention, Article 24 protects the right to "equal protection of the law." That is, Article 24 of the American Convention prohibits discrimination not only as regards the rights enshrined in the treaty but also with respect to all laws enacted by the State and their application. In other words, if a State discriminates in respecting or guaranteeing a right set forth in the Convention, it fails to comply with the obligation set forth in Article 1(1) and the substantive right in question. On the other hand, if the discrimination involves unequal protection under a domestic law or its application, the facts should be reviewed pursuant to Article 24 of the American Convention, read in conjunction with the categories protected by Article 1(1). Additionally, the Court has indicated that a mandate aimed at guaranteeing material equality stems from Article 24 of the Convention.¹¹⁶

In this way, in the Case of Guevara Díaz v. Costa Rica, the Court reiterated that the right to equality and non-discrimination incorporates two concepts: one related to the prohibition of arbitrary differentiation of treatment, and another to the obligation of States parties to create real equal conditions for groups that have been historically excluded or that are exposed to a greater risk of being discriminated against. The Court has also found that a difference in treatment is discriminatory when it has no objective or reasonable justification; in other words, when it does not pursue a legitimate purpose and there is no proportionality between the means used and the objective pursued. This Court has thus established that since the prohibition of discrimination is based on one of the protected categories set forth in Article 1(1) of the Convention, any restriction of a right must be rigorously justified, which implies that the state's grounds for the difference in treatment must be particularly serious and supported by exhaustive arguments.¹¹⁷

In this regard, the Court recalls that persons with disabilities are bearers of the rights established in the American Convention, rights that must be guaranteed in accordance with the principles of the right to equality and the prohibition on discrimination. In addition, the Court has established that disability is a protected category in the terms of Article 1(1) of the American Convention, and therefore, any discriminatory legal provision, act, or practice based on a person's real or perceived disability is prohibited. Consequently, no legal practice, decision, or provision of domestic law by either State authorities or private individuals may reduce or restrict in a discriminatory way the rights of an individual based on their disability. In addition, since disability is a protected category under Article 1(1) of the American Convention, the burden of proof to demonstrate that the different treatment of a person with a disability is justified falls on the State, and it cannot justify its decision based on stereotypes.¹¹⁸

115 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 288.

116 Case of Guevara Díaz v. Costa Rica. Merits, Reparations and Costs. Judgment of June 22, 2022. Series C No. 453, para. 48.

117 Case of Guevara Díaz v. Costa Rica. Merits, Reparations and Costs. Judgment of June 22, 2022. Series C No. 453, para. 49.

118 Case of Guevara Díaz v. Costa Rica. Merits, Reparations and Costs. Judgment of June 22, 2022. Series C No. 453, para. 50.

The Court underscored that the Inter-American Convention on the Elimination of All Forms of Discrimination Against Persons with Disabilities was adopted in 1999, and ratified by Costa Rica on August 12, 1999. This Convention uses a social model in its approach to disability, meaning that disability is not defined exclusively by the presence of a physical, mental, intellectual, or sensory impairment, but rather is interrelated with the social barriers or limitations that prevent individuals from exercising their rights effectively. The type of limitations or barriers commonly encountered by functionally diverse persons in society include are, among other things, physical or architectural barriers, as well as communication, attitudinal, or socioeconomic barriers.¹¹⁹

This Court also emphasized that, in compliance its special protection duties regarding any person in a situation of vulnerability, the State must adopt positive measures to protect rights, determined according to the particular needs for protection of the bearer of the right, whether due to their personal condition or the specific situation they face, such as disability. In this sense, States have an obligation to strive for the inclusion of persons with disabilities by offering equal conditions, opportunities, and participation at all levels of society in order to ensure that any legal or de facto limitations are dismantled. States must therefore promote social inclusion practices and establish affirmative action measures to remove such barriers. In this regard, as indicated by expert witness Sylvia Quan, attitudinal barriers are a particularly significant obstacle to the exercise of rights by persons with disabilities “due to prejudices, stigmas, and discrimination in multiple forms.”¹²⁰

Based on the same logic, in the Case of Guevara Díaz v. Costa Rica, the Court noted that persons with disabilities are often subject to discrimination based on their status, and therefore States must take every legislative, social, educational, workplace, or other measure necessary to ensure that discrimination based on disability is eliminated and to promote full social integration of persons with disabilities. In this regard, the Committee on Economic, Social and Cultural Rights has underscored the obligation of States to take special measures “to the maximum extent of their available resources, to enable such persons to seek to overcome any disadvantages, in terms of the enjoyment of the rights specified in the Covenant, flowing from their disability.”¹²¹

ARTICLES 3 (RIGHT TO RECOGNITION OF JURIDICAL PERSONALITY), 4 (RIGHT TO LIFE) 5 (RIGHT TO PERSONAL INTEGRITY), AND 7 (RIGHT TO PERSONAL LIBERTY) – FORCED DISAPPEARANCE OF PERSONS

- **Differentiated impacts based on gender in forced disappearances**

In the Case of Movilla Galarcio et al. v. Colombia, the Court established that, following the disappearance of their close relatives, women may experience stigmatization, violence and discrimination associated with gender roles, and when the disappeared person is a male head of household, the victimization of his family members may be even greater.

The Court also indicated that States Parties to the American Convention on Human Rights have the obligation to take steps to recognize and guarantee the work of women searching for their loved ones to prevent and investigate forced disappearance. States must also guarantee that this work can be performed without obstruction, intimidation or threat, ensuring the personal integrity of women seeking their loved ones and their rights to political participation recognized in the Convention, addressing the cultural and

¹¹⁹ Case of Guevara Díaz v. Costa Rica. Merits, Reparations and Costs. Judgment of June 22, 2022. Series C No. 453, para. 51.

¹²⁰ Case of Guevara Díaz v. Costa Rica. Merits, Reparations and Costs. Judgment of June 22, 2022. Series C No. 453, para. 53.

¹²¹ Case of Guevara Díaz v. Costa Rica. Merits, Reparations and Costs. Judgment of June 22, 2022. Series C No. 453, para. 54.

historical obstacles that limit their search, and guaranteeing the permanency of the life project of these women and their dependents under dignified conditions. This should extend to reparations, which should be established in a manner that does not reproduce gender stereotypes, but rather reflects the way in which the women searching for their loved ones wish to be represented.

ARTICLE 4 (RIGHT TO LIFE)

- **The death row phenomenon in cases involving the death penalty**

In the Case of Dial et al. v. Trinidad and Tobago, the Court reiterated that the waiting time between the moment someone is sentenced to death and the moment when this sentence is executed produces mental anguish, extreme tension and psychological trauma owing to the situation experienced by the person which includes the way in which the sentence was imposed from the perspective of due process, and also the characteristics of the condemned man.¹²²

To the above are added the detention conditions usually experienced by those held on death row, where the inhuman treatment they receive is due to conditions of physical deprivation that include insufficient food, water and health care, as well as prolonged solitary confinement that could extend over many years, and the absence of opportunities to leave their cells and take any exercise, as in this case. Indeed, in recent decades, both international human rights law and comparative law have addressed the issue of prolonged confinement on death row, known as the “death row phenomenon,” in light of the prohibition of cruel, inhuman or degrading treatment, indicating that this phenomenon “consists of a combination of circumstances that produce severe mental trauma and physical deterioration in prisoners under sentence of death”; these “include the lengthy and anxiety-ridden wait for uncertain outcomes, isolation, drastically reduced human contact and even the physical conditions in which some inmates are held.” Also, “[d]eath row conditions are often worse than those for the rest of the prison population, and prisoners on death row are denied many basic human necessities.”¹²³

In the Case of Dial et al. v. Trinidad and Tobago the Court recalled that, since it is responsible for detention centers, the State must guarantee that inmates have living conditions that safeguard their rights. On other occasions, the Court has indicated that keeping an individual confined in overcrowded conditions, with little ventilation and natural light, without a bed to rest on, or adequate conditions of hygiene, in isolation or solitary confinement, or with undue restrictions on visiting conditions, constitutes a violation of personal integrity. The Court also considered it relevant to take into account the standards recommended by international bodies for the minimum acceptable space required for a dignified life in prison. It has also indicated that the absence of minimum conditions that ensure the supply of drinking water within a prison constitutes a serious failure of the State to comply with its duty to guarantee the rights of those held in its custody given that, due to the particular circumstances of any deprivation of liberty, detainees cannot satisfy by themselves a series of basic necessities that are essential for a decent life, such as access to sufficient clean water.¹²⁴

¹²² Case of Dial et al. v. Trinidad and Tobago. Merits and reparations. Judgment of November 21, 2022. Series C No. 476, para. 71.

¹²³ Case of Dial et al. v. Trinidad and Tobago. Merits and reparations. Judgment of November 21, 2022. Series C No. 476, para. 72.

¹²⁴ Case of Dial et al. v. Trinidad and Tobago. Merits and reparations. Judgment of November 21, 2022. Series C No. 476, para. 73.

ARTICLE 4 (RIGHT TO LIFE), ARTICLE 5 (RIGHT TO PERSONAL INTEGRITY) AND ARTICLE 26 (RIGHT TO HEALTH)

• Provision of health services during pregnancy, birth and postpartum and obstetric violence

In the Case of *Brítez Arce et al. v. Argentina*, the Court recognized that the civil and political rights, and the economic, social, cultural and environmental rights, are indivisible and, therefore, their recognition and enjoyment are invariably guided by the principles of universality, indivisibility, interdependence and interrelationship. This signifies that both categories of rights should be understood integrally and globally as human rights, without any hierarchy between them, and can be required in all cases before the competent authorities.¹²⁵ The Court also considered that the rights to life and to integrity are directly and immediately related to health care, and that the lack of adequate medical care may result in the violation of Articles 4(1) and 5(1) of the Convention.¹²⁶

The Court also indicated that, when a State fails to take adequate measures to prevent maternal mortality, this evidently compromises the right to life of women who are pregnant or postpartum.¹²⁷ The Court recalled that the right to health during pregnancy, birth and postpartum, forms an integral part of the right to enjoy the highest attainable standard of physical and mental health, and thus must comply with the elements of availability, acceptability, quality and accessibility.¹²⁸ In this regard, among the minimum international obligations that should guide health care, women who are pregnant, postpartum and breastfeeding should be fully informed of their medical condition and be ensured access to precise and timely information on reproductive and maternal health at all stages of their pregnancy. Such information must be based on scientific evidence, and be unbiased, and free of stereotypes and discrimination, including the birth plan in the health center in which the birth will take place, and the right to mother-child contact.¹²⁹

In addition, in the Case of *Brítez Arce et al. v. Argentina*, the Court considered that the lack of adequate medical care or problems of accessibility to certain procedures could entail the violation of Article 5(1) of the Convention and that, during pregnancy, women may be subjected to prejudicial practices and specific forms of violence, ill-treatment and even torture.¹³⁰

In this regard, in the Case of *Brítez Arce et al. v. Argentina* the Court reiterated that a form of gender-based violence exists known as obstetric violence, which refers to harm inflicted in relation to pregnancy, birth and postpartum with regard to access to health services, and which constitutes a human rights violation. It encompasses all situations of disrespectful, abusive or neglectful treatment or the denial thereof during pregnancy, childbirth or postpartum, in private or public health facilities.¹³¹

In this regard, based on Article 7 of the Convention of Belém do Pará, the Court recalled that States have the duty to prevent, punish and eradicate violence against women and, to this end, must refrain from committing acts that constitute gender-based violence, including acts that take place during access to reproductive health services. In addition, according to that Convention, “[e]very woman has the right to be free from violence in both the public and private spheres,” and States should pay special attention to the vulnerable situation of women who are victims of violence when they are pregnant.

¹²⁵ Case of *Brítez Arce et al. v. Argentina*. Merits, Reparations and Costs. Judgment of November 16, 2022. Series C No. 474, para. 59.

¹²⁶ Case of *Brítez Arce et al. v. Argentina*. Merits, Reparations and Costs. Judgment of November 16, 2022. Series C No. 474, para. 59.

¹²⁷ Case of *Brítez Arce et al. v. Argentina*. Merits, Reparations and Costs. Judgment of November 16, 2022. Series C No. 474, para. 70.

¹²⁸ Case of *Brítez Arce et al. v. Argentina*. Merits, Reparations and Costs. Judgment of November 16, 2022. Series C No. 474, para. 72.

¹²⁹ Case of *Brítez Arce et al. v. Argentina*. Merits, Reparations and Costs. Judgment of November 16, 2022. Series C No. 474, para. 73.

¹³⁰ Case of *Brítez Arce et al. v. Argentina*. Merits, Reparations and Costs. Judgment of November 16, 2022. Series C No. 474, para. 74.

¹³¹ Case of *Brítez Arce et al. v. Argentina*. Merits, Reparations and Costs. Judgment of November 16, 2022. Series C No. 474, para. 75.

In this regard, in light of the Convention of Belém do Pará, women have the right to be free of obstetric violence, and States have the obligation to prevent and punish this and to refrain from inflicting it, as well as to ensure that its agents act in consequence, taking into consideration the special vulnerability of those who are pregnant or postpartum.¹³² The Court also indicated that obstetric violence has been examined by various international bodies. Thus, the UN Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health has recognized that “[m]istreatment and violence against women experienced during pregnancy, facility-based childbirth and the postpartum period by medical practitioners, midwives, nurses and hospital staff, also called obstetric violence, is widespread.” While the Special Rapporteur on violence against women, its causes and consequences, has identified obstetric violence as that “experienced by women during facility-based childbirth,” and underlined that it is revealed by “a lack of autonomy and decision-making.”¹³³

The Court recognized that some countries of the region have included references to obstetric violence in their laws. Among these, Argentina defines this type of violence as “that exercised by health personnel on the body and the reproductive processes of women, expressed by a dehumanizing treatment, and abuse by the medicalization and pathologization of natural processes.”¹³⁴

In light of the foregoing, the Court found that obstetric violence was a form of gender-based violence “prohibited by the Inter-American Human Rights treaties, including the Convention of Belém do Pará,” inflicted by those responsible for providing health care to women during pregnancy, birth and postpartum health services, which are revealed mostly, but not exclusively, by the dehumanizing, disrespectful, abusive or neglectful treatment of the pregnant women; by the denial of treatment and complete information on her health situation and the applicable treatment; by forced or coerced medical interventions, and by the tendency to pathologize the natural reproductive processes, among other intimidating actions in the context of health care during pregnancy, birth and the postpartum period.¹³⁵

ARTICLE 5 (RIGHT TO PERSONAL INTEGRITY)

• Sexual violence and torture suffered by women

In the Case of Valencia Campos et al. v. Bolivia, the Court understood that a gender perspective should be incorporated into the examination of facts that could constitute ill-treatment, because this allows their nature, gravity and implications to be analyzed more precisely and also, as applicable, their roots in patterns of discrimination. Thus, acts of sexual violence may have a distinctive character in relation to women and girls.¹³⁶ Regarding sexual violence and rape, this Court’s Case Law has recognized that these forms of sexual violence may constitute cruel, inhuman or degrading treatment, and even acts of torture, if they meet the relevant definition.¹³⁷

In the Case of Valencia Campos et al. v. Bolivia, the Court recognized that, in certain circumstances, the threats and the real danger of person being subjected to severe physical injury produces such a degree of moral anguish that it may be considered “psychological torture.” In this regard, the Court has established that an act of torture may be perpetrated by acts of physical violence and also by acts that cause the

132 Case of Brítez Arce et al. v. Argentina. Merits, Reparations and Costs. Judgment of November 16, 2022. Series C No. 474, para. 77.

133 Case of Brítez Arce et al. v. Argentina. Merits, Reparations and Costs. Judgment of November 16, 2022. Series C No. 474, para. 78.

134 Case of Brítez Arce et al. v. Argentina. Merits, Reparations and Costs. Judgment of November 16, 2022. Series C No. 474, para. 8.

135 Case of Brítez Arce et al. v. Argentina. Merits, Reparations and Costs. Judgment of November 16, 2022. Series C No. 474, para. 81.

136 Case of Valencia Campos et al. v. Bolivia. Preliminary objection, Merits, Reparations and Costs. Judgment of October 18, 2022. Series C No. 469, para. 185.

137 Case of Valencia Campos et al. v. Bolivia. Preliminary objection, Merits, Reparations and Costs. Judgment of October 18, 2022. Series C No. 469, para. 186.

victim mental or moral suffering. Moreover, if they are motivated by gender stereotypes, this is contrary to Article 7 of the Convention of Belém do Pará.¹³⁸

In the Case of Valencia Campos et al. v. Bolivia, the Court also reiterated that sexual violence constitutes a paradigmatic form of violence against women, the consequences of which even transcend the person of the victim. In addition, regarding the severity of the suffering, the Court has recognized that sexual violence may have severe psychological consequences for the victims, taking into account that, in the Case of sexual violence, sexual assault corresponds to a type of crime that is not generally reported by the victim owing to the stigma usually attached to such reports. Consequently, in many cases, the victims decide to remain silent and, therefore, recourse may be had to presumptions and indications.¹³⁹

ARTICLE 7 (RIGHT TO PERSONAL LIBERTY)

- **General considerations on the need to adopt differentiated measures or approaches with respect to certain groups of persons deprived of liberty**

In the Advisory Opinion on differentiated approaches with respect to certain groups of persons deprived of liberty, the Court reiterated that respect for human dignity constituted the general principle for the proper treatment of persons deprived of liberty and determined that it would provide content to this principle, together with the principle of equality and non-discrimination, identifying the specific obligations concerning the decent treatment that should be given to the groups of persons deprived of liberty who were the subject of the request, namely: (A) women who are pregnant, in labor, postpartum and breastfeeding, as well as primary caregivers; (B) children who live in detention centers with their mothers or primary caregivers; (C) LGBTI persons; (D) members of indigenous peoples, and (E) older persons.¹⁴⁰

Thus, in this Advisory Opinion, the Court included general considerations on: (A) respect for human dignity as a general principle of the adequate treatment of persons deprived of liberty and of detention conditions; (B) the prohibition and prevention of torture and other cruel, inhuman or degrading treatment; (c) the purpose of oversight of sentences in the American Convention; (D) judicial control of oversight of sentences; (E) the right to equality and non-discrimination, a differentiated approach, and intersectionality; (F) access to basic services for a life with dignity in prison, identifying the international obligations concerning the rights to health, adequate food and drinking water during detention; (G) generalized overpopulation and overcrowding; (H) prison management, and (I) context caused by the COVID-19 pandemic and the particular harm to certain groups in the prison system.¹⁴¹

the Court determined that States should apply a differentiated approach when responding to the special needs of the different population groups deprived of liberty to ensure that their sentences are executed respecting human dignity.¹⁴²

138 Case of Valencia Campos et al. v. Bolivia. Preliminary objection, Merits, Reparations and Costs. Judgment of October 18, 2022. Series C No. 469, para. 188.

139 Case of Valencia Campos et al. v. Bolivia. Preliminary objection, Merits, Reparations and Costs. Judgment of October 18, 2022. Series C No. 469, para. 190.

140 Differentiated approaches with respect to certain groups of persons deprived of liberty (Interpretation and scope of Articles 1(1), 4(1), 5, 11(2), 12, 13, 17(1), 19, 24 and 26 of the American Convention on Human Rights and other human rights instruments. Advisory Opinion OC-29/22 of May 30, 2022. Series A No. 29.

141 Differentiated approaches with respect to certain groups of persons deprived of liberty (Interpretation and scope of Articles 1(1), 4(1), 5, 11(2), 12, 13, 17(1), 19, 24 and 26 of the American Convention on Human Rights and other human rights instruments. Advisory Opinion OC-29/22 of May 30, 2022. Series A No. 29.

142 Differentiated approaches with respect to certain groups of persons deprived of liberty (Interpretation and scope of Articles 1(1), 4(1), 5, 11(2), 12, 13, 17(1), 19, 24 and 26 of the American Convention on Human Rights and other human rights instruments. Advisory Opinion OC-29/22 of May 30, 2022. Series A No. 29.

The Court considered that the application of a differentiated approach to prison policies enabled identifying how the characteristics of the group and the prison environment affect the guarantee of the rights of certain groups of persons deprived of liberty who are minorities and marginalized in prison and determined the specific risks of the infringement of rights, based on their particular characteristics and needs, in order to define and implement a series of specific measures addressed at overcoming the discrimination (structural and intersectional) that affected them. In not doing so, States would be in violation of Article 5(2) of the Convention and other specific treaties and this could result in treatment that was contrary to the prohibition of torture and other cruel, inhuman or degrading treatment or punishment.¹⁴³

- **Differentiated approaches applicable to women who are pregnant, in labor, postpartum and breastfeeding, as well as primary caregivers, deprived of liberty**

In the Advisory Opinion on differentiated approaches with respect to certain groups of persons deprived of liberty, the Court considered that since, historically, women represented only a small proportion of the imprisoned population, prison as an institution of social control had traditionally been conceived, designed and structured from an androcentric perspective directed toward a young and marginalized male population deprived of liberty for violent crimes. In this situation, and from a gender perspective, the Court considered that the principle of equality and non-discrimination required States, through their systems of criminal justice and prison administration, to employ a differentiated approach for women prisoners so as not to replicate the treatment given to the male population. In summary, the differentiated approach requires the adoption of differentiated criminal and prison policies that respond to the profile and vulnerabilities of women deprived of liberty or under house arrest, such as social conditions and care responsibilities, with the goal of their satisfactory reintegration into society. The Court identified the specific vulnerabilities faced by women during pregnancy, labor, postpartum and breastfeeding, as well as when they are primary caregivers deprived of liberty, and developed the specific obligations that arise for the States under the Convention.¹⁴⁴

In the Advisory Opinion, the Court addressed the following issues: (A) the need to adopt special measures to make effective the rights of women who are pregnant, postpartum or breastfeeding, or primary caregivers, deprived of liberty; (B) priority in the use of alternative and substitute measures in the execution and oversight of sentences in the Case of women who are pregnant, in labor, postpartum or breastfeeding, or when they are primary caregivers; (C) principle of separation between women and men and appropriate installations for women who are pregnant, postpartum or breastfeeding, and when they are primary caregivers; (D) prohibition of measures of solitary confinement and physical coercion; (E) access to sexual and reproductive health without discrimination; (F) adequate nutrition and specialized physical and psychological health care during pregnancy, childbirth and postpartum; (G) prevention, investigation and eradication of obstetric violence in prisons; (H) access to hygiene and adequate clothing, and (I) guarantee that ties can be developed between mothers or primary caregivers deprived of liberty and their children who are outside the prison in an adequate environment.¹⁴⁵

143 Differentiated approaches with respect to certain groups of persons deprived of liberty (Interpretation and scope of Articles 1(1), 4(1), 5, 11(2), 12, 13, 17(1), 19, 24 and 26 of the American Convention on Human Rights and other human rights instruments. Advisory Opinion OC-29/22 of May 30, 2022. Series A No. 29.

144 Differentiated approaches with respect to certain groups of persons deprived of liberty (Interpretation and scope of Articles 1(1), 4(1), 5, 11(2), 12, 13, 17(1), 19, 24 and 26 of the American Convention on Human Rights and other human rights instruments. Advisory Opinion OC-29/22 of May 30, 2022. Series A No. 29.

145 Differentiated approaches with respect to certain groups of persons deprived of liberty (Interpretation and scope of Articles 1(1), 4(1), 5, 11(2), 12, 13, 17(1), 19, 24 and 26 of the American Convention on Human Rights and other human rights instruments. Advisory Opinion OC-29/22 of May 30, 2022. Series A No. 29.

- **Differentiated approaches applicable to children living in detention centers with their mothers or primary caregivers**

In the Advisory Opinion on differentiated approaches with respect to certain groups of persons deprived of liberty, the Court stressed that, generally, there was a lack of reliable and official statistics on children living in prisons with their parent or adult of reference and, thus, this group is one of the most invisible in the prison context. The Court considered that, to ensure the right to equality and non-discrimination, States must identify children living in prison with a parent as an especially vulnerable group and must produce statistics to monitor their situation and their needs and have up-to-date records of the number in each prison, as well as develop and reinforce the required policies and norms for the comprehensive protection of their rights.¹⁴⁶

In the Advisory Opinion, the Court addressed the following aspects: (A) general considerations regarding the applicable guiding principles and the right to equality and non-discrimination; (B) right to family life of children with their parents and/or adults of reference deprived of liberty; (C) access to the rights to health and to nutrition of children who reside in detention centers, and (D) the adequate and integral development of children, with special attention to community integration, socialization, education and recreation.¹⁴⁷

- **Differentiated approaches applicable to LGBTI persons deprived of liberty**

In the Advisory Opinion on differentiated approaches with respect to certain groups of persons deprived of liberty, when referring to LGBTI persons, the Court indicated that, despite their heterogeneity, this is a population with common experiences of prison violence and discrimination arising from prejudices based on sexual orientation and gender identity and expression. It stressed that prisons were originally conceived not only from an androcentric perspective, but also based on the dominant logic of sexual binarity, cisnormativity, and heteronormativity, and this presents special challenges for the respect and guarantee of the rights of transgender persons, as well as persons with non-binary gender identities.¹⁴⁸

In view of the history of violence and discrimination against LGBTI persons, which is reproduced and exacerbated in the prison environment, as well as their specific needs during deprivation of liberty, in the Advisory Opinion on differentiated approaches with respect to certain groups of persons deprived of liberty, the Court responded to the questions raised by the Inter-American Commission as follows: (A) general considerations on the right to equality and non-discrimination and the situation of LGBTI persons deprived of liberty; (B) the principle of separation and the determination of where to locate an LGBTI person in prison; (C) the prevention, investigation and recording of violence against LGBTI persons deprived of liberty; (D) the right to health of transgender persons deprived of liberty in relation to the initiation or continuation of the transition process, and (E) intimate visits for LGBTI persons deprived of liberty.¹⁴⁹

146 Differentiated approaches with respect to certain groups of persons deprived of liberty (Interpretation and scope of Articles 1(1), 4(1), 5, 11(2), 12, 13, 17(1), 19, 24 and 26 of the American Convention on Human Rights and other human rights instruments. Advisory Opinion OC-29/22 of May 30, 2022. Series A No. 29.

147 Differentiated approaches with respect to certain groups of persons deprived of liberty (Interpretation and scope of Articles 1(1), 4(1), 5, 11(2), 12, 13, 17(1), 19, 24 and 26 of the American Convention on Human Rights and other human rights instruments. Advisory Opinion OC-29/22 of May 30, 2022. Series A No. 29.

148 Differentiated approaches with respect to certain groups of persons deprived of liberty (Interpretation and scope of Articles 1(1), 4(1), 5, 11(2), 12, 13, 17(1), 19, 24 and 26 of the American Convention on Human Rights and other human rights instruments). Advisory Opinion OC-29/22 of May 30, 2022. Series A No. 29.

149 Differentiated approaches with respect to certain groups of persons deprived of liberty (Interpretation and scope of Articles 1(1), 4(1), 5, 11(2), 12, 13, 17(1), 19, 24 and 26 of the American Convention on Human Rights and other human rights instruments. Advisory Opinion OC-29/22 of May 30, 2022. Series A No. 29.

- **Differentiated approaches applicable to members of indigenous peoples deprived of liberty**

The Court interpreted the provisions of the American Convention taking into consideration the inherent characteristics that differentiate members of indigenous peoples from the general population and that constitute their cultural identity. The Court emphasized the need for the representatives and authorities of the indigenous peoples to play an active role in the formulation, implementation and evaluation of the States' criminal policies and that dialogue and cooperation relations be established between these authorities and ordinary justice.

When providing an answer to the questions raised by the Commission, the Court referred to the following aspects: (A) general consideration on the right to equality and non-discrimination, and the situation of indigenous persons deprived of liberty; (B) the preference for punishment other than imprisonment for indigenous persons deprived of liberty; (C) preservation of the cultural identity of indigenous persons deprived of liberty; (D) the use of indigenous languages during deprivation of liberty, and the adoption of culturally appropriate measures for rehabilitation and reintegration, and (E) prevention of violence against indigenous persons deprived of liberty.¹⁵⁰

- **Differentiated approaches applicable to older persons deprived of liberty**

In the Advisory Opinion on differentiated approaches with respect to certain groups of persons deprived of liberty and in relation to the specific Case of older persons deprived of liberty, the Court indicated that the special needs resulting from the aging process were exacerbated by the inherent vulnerability of the prison population. In addition, the Court noted that the process of aging may lead to situations of disability and, therefore, found it pertinent to include considerations in that regard.¹⁵¹

In the Advisory Opinion on differentiated approaches with respect to certain groups of persons deprived of liberty, the Court determined the specific obligations of States in order to ensure the rights of older persons deprived of liberty, addressing the following issues: (A) the need to adopt special measures to make effective the rights of older persons deprived of liberty; (B) the appropriateness of substitute or alternative measures to the execution of prison sentences for older persons; (C) the rights to accessibility and mobility of older persons deprived of liberty; (D) the right to health of older persons deprived of liberty; (E) the right of older persons deprived of liberty to outside contact with their families, and (F) the rehabilitation and social reinsertion of older persons deprived of liberty.¹⁵²

- **The obligation of State to maintain public order within their territory and respect for human rights**

In the Case of Tzompaxtle Tecpile et al. v. Mexico, the Court recalled that States have the obligation to guarantee security and maintain public order within their territory and that, consequently, they must take the necessary measures to fight organized crime, including measures that entail restrictions to, or even deprivation of, personal liberty. Despite this, the State does not have unlimited powers to achieve this end, regardless of the severity of certain actions and the guilt of the presumed perpetrators. In particular,

¹⁵⁰ Differentiated approaches with respect to certain groups of persons deprived of liberty (Interpretation and scope of Articles 1(1), 4(1), 5, 11(2), 12, 13, 17(1), 19, 24 and 26 of the American Convention on Human Rights and other human rights instruments. Advisory Opinion OC-29/22 of May 30, 2022. Series A No. 29.

¹⁵¹ Differentiated approaches with respect to certain groups of persons deprived of liberty (Interpretation and scope of Articles 1(1), 4(1), 5, 11(2), 12, 13, 17(1), 19, 24 and 26 of the American Convention on Human Rights and other human rights instruments. Advisory Opinion OC-29/22 of May 30, 2022. Series A No. 29.

¹⁵² Differentiated approaches with respect to certain groups of persons deprived of liberty (Interpretation and scope of Articles 1(1), 4(1), 5, 11(2), 12, 13, 17(1), 19, 24 and 26 of the American Convention on Human Rights and other human rights instruments. Advisory Opinion OC-29/22 of May 30, 2022. Series A No. 29.

the authorities may not violate the rights recognized in the American Convention, such as the rights to presumption of innocence, personal liberty, and due process, and they may not execute unlawful or arbitrary detentions.¹⁵³

- **Precautionary Measures that restrict liberty, the right not to be deprived of liberty arbitrarily, and the right to presumption of innocence**

In the Case of Tzompaxtle Tecpile et al. v. Mexico, the Court reiterated that, to comply with the requirements for restricting the right to personal liberty by means of a precautionary measure, such as pre-trial detention, sufficient evidence must exist to allow the reasonable suspicion that a wrongful act occurred and that the person subject to the procedure may have taken part in that wrongful act.¹⁵⁴ This presumption does not constitute, of itself, a legitimate purpose for applying a Precautionary Measures that restricts freedom, nor should it impair the right to the presumption of innocence contained in Article 8(2) of the Convention.¹⁵⁵ This should be understood taking into account that, in principle and in general terms, this decision should not have any impact on the responsibility of the accused, because it should be taken by a judge or authority other than the one who ultimately decides on the merits of the case.¹⁵⁶

The Court has considered that the suspicion or sufficient indications that permit a reasonable supposition that the person subject to the proceedings could have taken part in the wrongful act investigated should be based on specific facts; that is, not on mere conjectures or abstract intuition. Consequently, the State should not detain someone and then investigate him.¹⁵⁷

The Court reiterated that the judicial authority is responsible for imposing measures of this nature solely when it has verified that: (a) the purpose of the measures that deprive or restrict liberty is compatible with the Convention; (b) the measures adopted are appropriate to achieve the purpose sought; (c) they are necessary, in the sense that they are absolutely essential to achieve the purpose sought and that, among all possible measures, there is no less burdensome measure in relation to the right involved, that would be equally suitable to achieve the proposed objective, and (d) they are strictly proportionate, so that the sacrifice inherent in the restriction of the right to liberty is not exaggerated or excessive compared to the advantages obtained from this restriction and the achievement of the purpose sought.¹⁵⁸ The Court also recalled that the deprivation of the liberty of a person who is accused of, or being prosecuted for, an offense cannot be based on general or special preventive objectives attributable to the punishment.¹⁵⁹

The Court recalled that, pursuant to its consistent Case Law, a precautionary measure should only be imposed when it is necessary to meet a legitimate purpose, namely: that the accused will not impede the development of the proceedings or evade the action of justice. It has also underscored that procedural risk cannot be presumed, but must be verified in each case, based on the true and objective circumstances of each specific case.¹⁶⁰ Nor can the elements that prove the existence of the legitimate purposes be

153 Case of Tzompaxtle Tecpile et al. v. Mexico. Preliminary objection, Merits, Reparations and Costs. Judgment of November 7, 2022. Series C No. 470, para. 95.

154 Case of Tzompaxtle Tecpile et al. v. Mexico. Preliminary objection, Merits, Reparations and Costs. Judgment of November 7, 2022. Series C No. 470, para. 100.

155 Case of Tzompaxtle Tecpile et al. v. Mexico. Preliminary objection, Merits, Reparations and Costs. Judgment of November 7, 2022. Series C No. 470, para. 101.

156 Case of Tzompaxtle Tecpile et al. v. Mexico. Preliminary objection, Merits, Reparations and Costs. Judgment of November 7, 2022. Series C No. 470, para. 102.

157 Case of Tzompaxtle Tecpile et al. v. Mexico. Preliminary objection, Merits, Reparations and Costs. Judgment of November 7, 2022. Series C No. 470, para. 103.

158 Case of Tzompaxtle Tecpile et al. v. Mexico. Preliminary objection, Merits, Reparations and Costs. Judgment of November 7, 2022. Series C No. 470, para. 105.

159 Case of Tzompaxtle Tecpile et al. v. Mexico. Preliminary objection, Merits, Reparations and Costs. Judgment of November 7, 2022. Series C No. 470, para. 104.

160 Case of Tzompaxtle Tecpile et al. v. Mexico. Preliminary objection, Merits, Reparations and Costs. Judgment of November 7, 2022. Series C No. 470, para. 106.

presumed, but must also be based on the true and objective circumstances of each specific case, which must be verified by the prosecution and not the accused, who also must be able to exercise the right of defense, and be duly assisted by a lawyer. Furthermore, the Court has indicated that the seriousness of the offense with which the accused is charged is not, of itself, sufficient justification for pre-trial detention.¹⁶¹

Additionally, the Court indicated that, since deprivation of liberty is a measure that involves a restriction of the sphere of individual action, the judicial authority who imposes this measure must be required to do so only when he considers that the other mechanisms established by law, which entail less interference in individual rights, are insufficient to meet the procedural purpose.¹⁶² Moreover, alternative measures must be available and a measure that restricts liberty may only be imposed when it is not possible to use alternative measures to mitigate its effects. In addition, the Court has indicated that the authorities must consider alternative measures to guarantee appearance at the trial.¹⁶³

The Court has also indicated—in cases in which measures involving deprivation of liberty have been imposed—that Article 5 of the American Convention establishes temporal limits to its duration. Consequently, when the length of pre-trial detention exceeds a reasonable time, the liberty of the accused should be restricted by other less harmful measures that ensure his/her presence at the trial.¹⁶⁴

- **Pre-trial mechanisms that restrict the liberty of a person for investigation purposes**

In the Case of Tzompaxtle Tecpile et al. v. Mexico, the Court indicated that any pre-trial mechanism that seeks to restrict a person's liberty in order to investigate offenses that they may have committed, is intrinsically contrary to the provisions of the American Convention and expressly violates the rights to personal liberty and the presumption of innocence.¹⁶⁵ In this regard, the Court recalled that anyone who, by means of an investigation or a trial, is suspected of being the perpetrator or participant in a wrongful act, is entitled to the guarantees of due process.¹⁶⁶ Consequently, and in relation to the mechanism of custody (arraigo) as a pre-trial restrictive measure for investigation purposes, the Court understood that this is incompatible with the American Convention, because the premises that define its inherent characteristics fail to harmonize with the rights to personal liberty and the presumption of innocence.¹⁶⁷

- **House searches**

In the Case of Tzompaxtle Tecpile et al. v. Mexico, the Court recalled the right to personal privacy and indicated that the sphere of personal and family privacy is characterized by being exempt from arbitrary or abusive interference or attack by third parties or public authorities. In light of this, the Court recalled that the belongings that a person carries with them when outside his/her home, even when that person is inside a vehicle, are possessions that, similarly to those that are inside his/her home, are included in the

161 Case of Tzompaxtle Tecpile et al. v. Mexico. Preliminary objection, Merits, Reparations and Costs. Judgment of November 7, 2022. Series C No. 470, para. 108.

162 Case of Tzompaxtle Tecpile et al. v. Mexico. Preliminary objection, Merits, Reparations and Costs. Judgment of November 7, 2022. Series C No. 470, para. 110.

163 Case of Tzompaxtle Tecpile et al. v. Mexico. Preliminary objection, Merits, Reparations and Costs. Judgment of November 7, 2022. Series C No. 470, para. 111.

164 Case of Tzompaxtle Tecpile et al. v. Mexico. Preliminary objection, Merits, Reparations and Costs. Judgment of November 7, 2022. Series C No. 470, para. 112.

165 Case of Tzompaxtle Tecpile et al. v. Mexico. Preliminary objection, Merits, Reparations and Costs. Judgment of November 7, 2022. Series C No. 470, para. 171.

166 Case of Tzompaxtle Tecpile et al. v. Mexico. Preliminary objection, Merits, Reparations and Costs. Judgment of November 7, 2022. Series C No. 470, para. 125.

167 Case of Tzompaxtle Tecpile et al. v. Mexico. Preliminary objection, Merits, Reparations and Costs. Judgment of November 7, 2022. Series C No. 470, para. 216.

sphere of protection of the right to private life and privacy. Therefore, they cannot be subject to arbitrary interference by third parties or authorities.¹⁶⁸

In the Case of Tzompaxtle et al. v. México, the Court examined whether the domestic authorities had the authority, conferred by a ley or regulations, to carry out vehicle searches. On this point, the Court noted that the State had not mentioned any norm that authorized the authorities to conduct vehicle searches, and had merely alluded to the authorization of the driver of the vehicle and to “discharge of functions.”¹⁶⁹

In addition, the Court referred to what constitutes “the reasonable suspicion” that an offense has been committed to execute this type of search and recalled, as indicated by the European Court of Human Rights, that this presupposes the existence of “some facts or information capable of satisfying the Court that the arrested person was reasonably suspected of having committed the alleged offence.”¹⁷⁰

ARTICLES 8 AND 25 (JUDICIAL GUARANTEES)

- **Judicial independence and its applicability to prosecutors owing to the nature of their functions**

In the Case of Nissen Pessolani v. Paraguay, the Court reiterated that its Case Law has established that the guarantee of tenure and irremovability of Judges, aimed at safeguarding their independence, is also applicable to prosecutors owing to the nature of their functions. Thus, regarding the specific function of prosecutors, on different occasions, the Court has referred to the need – in relation to human rights violations and, in general, in criminal matters – for States to guarantee an independent and objective investigation. The Court has emphasized that the authorities in charge of the investigation must enjoy independence, *de iure* and *de facto*, and this requires “not only hierarchical or institutional independence, but also real independence.”¹⁷¹

The Court has underscored that prosecutors execute functions of agents of justice and, in this capacity, need to enjoy, *inter alia*, guarantees of employment stability as an essential condition of their independence in order to comply satisfactorily with their procedural functions. Therefore, they are protected by the guarantees of a proper appointment, irremovability from office, and to be protected against external pressures. Otherwise, the independence and objectivity are jeopardized that are required of their function as principles aimed at ensuring that the investigations conducted and the claims made before the Courts are addressed exclusively at achieving justice in each specific case, in keeping with the provision of Article 8 of the Convention. It should be added that the Court has specified that the absence of a guarantee of irremovability for prosecutors – which makes them vulnerable to reprisals for the decisions they take – results in a violation of the independence that is guaranteed by Article 8(1) of the Convention. In this regard, in the Judgments in the Case of Martínez Esquivia v. Colombia and Casa Nina v. Peru, the Court established that the independence recognized to prosecutors constitutes the guarantee that they will not be subject to political pressures or undue interferences in their actions, or to reprisals for the decisions that they have objectively taken, and this requires, precisely, the guarantee of stability in office and irremovability.

168 Case of Tzompaxtle Tecpile et al. v. Mexico. Preliminary objection, Merits, Reparations and Costs. Judgment of November 7, 2022. Series C No. 470, para. 189.

169 Case of Tzompaxtle Tecpile et al. v. Mexico. Preliminary objection, Merits, Reparations and Costs. Judgment of November 7, 2022. Series C No. 470, para. 191.

170 Case of Tzompaxtle Tecpile et al. v. Mexico. Preliminary objection, Merits, Reparations and Costs. Judgment of November 7, 2022. Series C No. 470, para. 191.

171 Case of Nissen Pessolani v. Paraguay. Merits, Reparations and Costs. Judgment of November 21, 2022. Series C No. 477, para. 57.

Based on the foregoing considerations, the Court reiterated that, for prosecutors, the guarantee of stability in office and irremovability meant: (i) that removal from office should be based exclusively on the permitted causes, either by a procedure that complies with judicial guarantees or because the mandate has ended; (ii) that prosecutors may only be dismissed due to serious disciplinary offenses or incompetence, and (iii) that any procedure must be decided pursuant to the norms established for judicial conduct and by just proceedings that ensure objectivity and impartiality pursuant to the Constitution or the law.¹⁷²

- **Right to a competent and independent Judge**

In the Case of *Nissen Pessolani v. Paraguay*, the Court reiterated that it had already examined cases related to the removal of judicial authorities by joint bodies, with the participation of parliamentarians, and had analyzed the possible interferences with the principle of judicial independence that they could engender. In this regard, the Court indicated that the guarantees of due process established in the American Convention are applicable to the substantiation of this type of procedure. Thus, Article 8 of the Convention establishes guidelines for due process of law, which refers to the series of requirements that should be observed by the procedural instances to ensure that individuals are able to defend their rights adequately against any act of the State that could affect them. In this regard, in its consistent Case Law, the Court has indicated that any public authority, whether administrative, legislative or judicial, whose decisions could have an impact on a person's rights, is required to take such decisions with full respect for the guarantees of due process of law.¹⁷³

- **The alleged violation of the guarantee of an impartial Judge**

In the Case of *Nissen Pessolani v. Paraguay*, the Court recalled that it had established that impartiality requires the judicial authority who intervenes in any specific dispute to approach the facts of the case subjectively free of all prejudice and also to offer sufficient objective guarantees to exclude any doubt the parties or the community might entertain as to his or her lack of impartiality. This guarantee means that the members of the Court, and the judge in charge of the proceedings, do not have a direct interest, a pre-conceived position, or a preference for any of the parties and are not involved in the dispute, but rather act only and exclusively in accordance with the law.¹⁷⁴

Personal or subjective impartiality is to be presumed unless there is evidence to the contrary and this consists, for example, in the demonstration that any member of the Court, or the competent authority, has prejudices or biases of a personal nature against the litigants. In turn, the so-called objective approach test consists in determining whether the judge in question has offered sufficient elements of conviction to exclude any legitimate misgivings or well-grounded suspicion of partiality regarding a person. The Court has also indicated that disqualification is a procedural instrument that protects the right to be tried by an impartial judge or court, while seeking to grant credibility to Jurisdictional functions.¹⁷⁵

In proceedings instituted against judicial authorities, which could eventually lead to their removal, the guarantee of irremovability that protects them, to safeguard their independence, requires that such proceedings are processed and decided objectively and impartially; in other words, as required by the guarantees of due process.¹⁷⁶

172 Case of *Nissen Pessolani v. Paraguay*. Merits, Reparations and Costs. Judgment of November 21, 2022. Series C No. 477, para. 59.

173 Case of *Nissen Pessolani v. Paraguay*. Merits, Reparations and Costs. Judgment of November 21, 2022. Series C No. 477, para. 61.

174 Case of *Nissen Pessolani v. Paraguay*. Merits, Reparations and Costs. Judgment of November 21, 2022. Series C No. 477, para. 64.

175 Case of *Nissen Pessolani v. Paraguay*. Merits, Reparations and Costs. Judgment of November 21, 2022. Series C No. 477, para. 65.

176 Case of *Nissen Pessolani v. Paraguay*. Merits, Reparations and Costs. Judgment of November 21, 2022. Series C No. 477, para. 66.

- **Due diligence in the investigation of violence against human rights defenders**

In the Case of Sales Pimenta v. Brazil, the Court recalled that, in Cases of attacks against human rights defenders, States have the obligation to investigate the violations committed against them seriously and effectively, combat impunity, and ensure impartial, prompt and diligent justice. This entails an exhaustive search for all the information in order to prepare and execute an investigation that leads to the proper analysis of all the hypotheses regarding the authorship, by act or omission at different levels, exploring all pertinent lines of investigation to identify the perpetrators. Consequently, in the presence of indications or allegations that the specific motive for a particular act against a human rights defender could be his work of the defense and promotion of human rights, the investigating authorities should take into account the context of the facts and his activities to identify the interests that could have been affected, in order to establish and exhaust the lines of investigation that take this into account, determine the reason for the crime, and identify the perpetrators.¹⁷⁷

Due to the essential role that human rights defenders play during the daily exercise of their activities to promote and protect human rights, the Court reiterated the existence of an enhanced obligation of due diligence with regard to the investigation into the death of defenders.¹⁷⁸

In the Case of Sales Pimenta v. Brazil, the Court also underscored that compliance with the State duty to create the necessary conditions for the effective enjoyment and exercise of the rights established in the Convention was intrinsically linked to the recognition and protection of the important role that human rights defenders play, since their work is fundamental for the strengthening of democracy and the Rule of Law. The Court also recalled that their monitoring, reporting and educational activities make an essential contribution to respect for human rights, because they act as guarantors against impunity. Thus, they supplement the role, not only of the States, but also of the Inter-American human rights system as a whole. In this regard, the Court emphasized the need to eradicate the impunity surrounding acts of violence against human rights defenders, because this is essential to guarantee that they are able to carry out their work freely and safely.¹⁷⁹

The Court underlined that violence against human rights defenders has a chilling effect, especially when offenses remain unpunished. Thus, it reiterated that threats and attacks on the integrity and life of human rights defenders and the impunity of those responsible for such acts are particularly serious, because the impact is not only individual, but also collective, insofar as society is prevented from knowing the truth about the situation of, respect for, or violation of, the rights of people subject to the jurisdiction of a specific State.¹⁸⁰

- **Environmental defenders**

In the Case of Baraona Bray v. Chile, the Court reiterated that the condition of human rights defender derives from their work in this area, irrespective of whether the person who does this work is a private individual or a public official, or whether the defense is exercised in relation to the civil and political rights, or to the economic, social, cultural and environmental rights. The Court also noted that the activities of promotion and protection of human rights can be executed intermittently or occasionally, so that the condition of human rights defender is not necessarily a permanent situation.¹⁸¹

177 Case of Sales Pimenta v. Brazil. Preliminary objection, Merits, Reparations and Costs. Judgment of June 30, 2022. Series C No. 454, para. 86.

178 Case of Sales Pimenta v. Brazil. Preliminary objection, Merits, Reparations and Costs. Judgment of June 30, 2022. Series C No. 454, para. 87.

179 Case of Sales Pimenta v. Brazil. Preliminary objection, Merits, Reparations and Costs. Judgment of June 30, 2022. Series C No. 454, para. 88.

180 Case of Sales Pimenta v. Brazil. Preliminary objection, Merits, Reparations and Costs. Judgment of June 30, 2022. Series C No. 454, para. 89.

181 Case of Baraona Bray v. Chile. Preliminary Objections, Merits, Reparations and Costs. Judgment of November 24, 2022, para. 71.

The definition of a human rights defender is broad and flexible owing to the very nature of the activity. Therefore, any person who carries out an activity to promote and defend any human right and refers to himself or herself in this way or who is recognized as such by society, should be considered a human rights defender. This category evidently includes environmental defenders, also known as environmental human rights defenders or human rights defenders in environmental matters.¹⁸²

The Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) is the first international instrument to refer expressly to these defenders. The Agreement contains a general definition of environmental defenders based on their work. Thus, it defines them as “persons, groups and organizations that promote and defend human rights in environmental matters.”¹⁸³

Similarly, in his report on the situation of human rights defenders, a former United Nations Special Rapporteur indicated that “[t]he term ‘environmental human rights defenders’ refers to individuals and groups who, in their personal or professional capacity and in a peaceful manner, strive to protect and promote human rights relating to the environment, including water, air, land, flora and fauna.” According to the report, regardless of the work they do, defenders are defined, above all, by their actions to protect environmental and land rights.¹⁸⁴

In addition, the Court noted that numerous international instruments have referred to the importance of the work done by human rights and environmental defenders; the situation of vulnerability in which they may find themselves, and the need to provide them with special protection. At the regional level, the General Assembly of the Organization of American States has recognized and supported the work of human rights defenders and their valuable contribution to the promotion, respect for, and protection of fundamental rights and freedoms in the Americas. Thus, the Assembly has urged States “to persist in their efforts to provide [them] with the necessary guarantees and facilities to continue freely carrying out their task.” In addition, the former United Nations Special Rapporteur on the situation of human rights defenders considered that States should “vigilantly protect defenders from intimidation, criminalization and violence, diligently investigate, prosecute and punish the perpetrators of these crimes [...]” and “establish a safe and encouraging climate for defenders to act without threats, harassment, intimidation or violence.” All this in the understanding that defenders are unable to defend rights related to the environment adequately, if they are unable to exercise their own rights of access to information, and freedom of expression, peaceful Assembly and association, with guarantees of non-discrimination and participation in decision-making.¹⁸⁵

Meanwhile, the United Nations Human Rights Council has recognized the important role of human rights defenders, including environmental human rights defenders “in supporting States to fulfil their obligations under the Paris Agreement and to realize the 2030 Agenda for Sustainable Development” and, therefore, emphasized that they “must be ensured a safe and enabling environment to undertake their work free from hindrance and insecurity.”¹⁸⁶

In this regard, article 9 of the Escazú Agreement establishes the obligation of States parties to “guarantee a safe and enabling environment for persons, groups and organizations that promote and defend human rights in environmental matters, so that they are able to act free from threat, restriction and insecurity.” It also establishes that States must “take adequate and effective measures to recognize, protect and promote” all their rights, “including their right to life, personal integrity, and freedom of opinion and

182 Case of Baraona Bray v. Chile. Preliminary Objections, Merits, Reparations and Costs. Judgment of November 24, 2022, para. 72.

183 Case of Baraona Bray v. Chile. Preliminary Objections, Merits, Reparations and Costs. Judgment of November 24, 2022, para. 73.

184 Case of Baraona Bray v. Chile. Preliminary Objections, Merits, Reparations and Costs. Judgment of November 24, 2022, para. 74.

185 Case of Baraona Bray v. Chile. Preliminary Objections, Merits, Reparations and Costs. Judgment of November 24, 2022, para. 75.

186 Case of Baraona Bray v. Chile. Preliminary Objections, Merits, Reparations and Costs. Judgment of November 24, 2022, para. 76.

expression.” Among the general provisions, it also establishes that each State party must ensure that the rights recognized in the Agreement are freely exercised (2) and guarantee an enabling environment for the work of persons, associations, organizations or groups that promote environmental protection, by recognizing and protecting them (6). In particular, the Escazu Agreement takes into consideration the Agenda 2030 for Sustainable Development and the Sustainable Development Goals (SDGs), and recalls the commitment to achieving sustainable development in its three dimensions – economic, social and environmental – in a balanced and integrated manner. Furthermore, it recalls that the outcome document of the 2012 United Nations Conference on Sustainable Development, entitled “The future we want” acknowledged that democracy, good governance and the Rule of Law are essential for sustainable development.¹⁸⁷

The Court considered that respect for and guarantee of the rights of human rights defenders in environmental matters, in addition to being a commitment acquired by the States parties to the American Convention – since such defenders are persons subject to their jurisdiction – is of special importance, because they play a fundamental role “for strengthening democracy and the Rule of Law.”¹⁸⁸

In the Case of Baraona Bray v. Chile, the Court considered that, given the importance of their work, the free and full exercise of the said rights imposes on States the duty to create legal and factual conditions in which they are able to perform their task freely. This is particularly relevant if the interdependence and indivisibility of human rights and the protection of the environment is taken into account and also the difficulties associated with the defense of the environment in the countries of the region, in which a growing number of reports can be observed of threats, acts of violence, and the murder of environmentalists due to their work.¹⁸⁹

- **The duty of enhanced due diligence in Cases of violence against girls**

In the Case of Angulo Losada v. Bolivia, the Court recalled that, in Cases of violence against women, the general obligations established in Articles 8 and 25 of the American Convention are supplemented and reinforced by the obligations resulting from the Convention of Belém do Pará. Article 7(b) of the Convention specifically obliges the States parties to “apply due diligence to prevent, investigate and impose penalties for violence against women.” In turn, Article 7(f) indicates that States must “establish fair and effective legal procedures for women who have been subjected to violence which include, among others, protective measures, a timely hearing and effective access to such procedures.” Thus, when an act of violence is committed against a woman, it is particularly important that the authorities in charge of the investigation conduct this with determination and effectiveness, bearing in mind the duty of society to reject violence against women and the State’s obligation to eradicate this and to ensure that victims have confidence in the state institutions created to protect them.¹⁹⁰

In the Case of Angulo Losada v. Bolivia, the Court considered that, with regard to the guarantees established in Articles 8 and 25 of the Convention, these are recognized to everyone equally, and should be correlated with the specific rights established in the Convention, and with Article 19, so that they are reflected in any administrative or judicial proceedings in which the rights of the child are examined. In this regard, in compliance with Article 19 of the American Convention, States should adopt special and specific measures in cases in which the victim is a child or adolescent, especially when an act of sexual violence has occurred and, especially, in Cases of rape, without prejudice to the standards established for Cases of

187 Case of Baraona Bray v. Chile. Preliminary Objections, Merits, Reparations and Costs. Judgment of November 24, 2022, para. 77.

188 Case of Baraona Bray v. Chile. Preliminary Objections, Merits, Reparations and Costs. Judgment of November 24, 2022, para. 78.

189 Case of Baraona Bray v. Chile. Preliminary Objections, Merits, Reparations and Costs. Judgment of November 24, 2022, para. 79.

190 Case of Angulo Losada v. Bolivia. Preliminary Objections, merits and reparations. Judgment of November 18, 2022. Series C No. 475, para. 94.

sexual violence and rape involving adult women. Consequently, the violations of a girl child's rights must be examined based not only on international instruments concerning violence against women, but also in light of the international corpus juris for the protection of children, which should define the content and scope of the obligations that the State must assume when analyzing the rights of persons under 18 years of age and, in this specific case, the enhanced state obligation of due diligence.¹⁹¹

Thus, the Court underscored that the special measures of protection that the State must adopt are based on the fact that children and adolescents are considered to be more vulnerable to human rights violations. This is also determined by different factors, such as the age, specific situation, and level of development and maturity of each child or adolescent. As expert witness Cillero stated, age is a potential factor of discrimination because "owing to their age, children and adolescents do not have social and legal legitimacy to take important decisions on matters relating to education, health, and their sexual and reproductive rights." In addition, as the Court has already pointed out, in the Case of girl children, this vulnerability to human rights violations may be inserted in and increased by historical discrimination factors which have contributed to the fact that women and girls suffer higher rates of sexual violence, especially within the family.¹⁹² As the Court has indicated, the duty to guarantee rights acquires special emphasis when girls are victims of a crime of sexual violence and participate in the investigations and criminal proceedings, as in the instant case.¹⁹³

In the Case of Angulo Losada v. Bolivia, the Court indicated that, although the right to due process and its correlative guarantees are applicable to everyone, in the Case of children and adolescents, due to the special protection derived from Article 19 of the Convention, the exercise of those rights supposes – owing to their special situation – the adoption of certain specific measures in order to ensure access to justice in conditions of equality, guarantee effective due process, and ensure that the best interests of the child are the primary consideration in all the administrative or judicial decisions adopted.¹⁹⁴ As the Court has already indicated, the participation in criminal proceedings of children and adolescents, victims of crime, may be necessary to contribute to the effective development of the proceedings; however, from the very start and throughout the proceedings, they must be provided with information on the proceedings, and on the services of legal aid, physical and mental health care and other measures of protection available.¹⁹⁵

In the Case of Angulo Losada v. Bolivia, the Court recalled that it had already indicated that child and adolescent victims, particularly of sexual violence, may suffer serious physical, psychological and emotional consequences as a result of the act that violated their rights, and also revictimization at the hands of the State's organs due to their participation in criminal proceedings, the function of which is precisely the protection of their rights. In this regard, if it is considered that the participation of the child or adolescent is necessary and can contribute to the gathering of probative material, revictimization must be avoided at all times, and the procedures and actions in which their participation is considered to be strictly necessary must be limited; moreover, their presence and interaction with their aggressor must be avoided during the procedures ordered. Thus, all the officials and authorities who intervene in the investigations and the criminal proceedings related to sexual violence must pay particular attention to

191 Case of Angulo Losada v. Bolivia. Preliminary Objections, merits and reparations. Judgment of November 18, 2022. Series C No. 475, para. 99.

192 Case of Angulo Losada v. Bolivia. Preliminary Objections, merits and reparations. Judgment of November 18, 2022. Series C No. 475, para. 100.

193 Case of Angulo Losada v. Bolivia. Preliminary Objections, merits and reparations. Judgment of November 18, 2022. Series C No. 475, para. 101.

194 Case of Angulo Losada v. Bolivia. Preliminary Objections, merits and reparations. Judgment of November 18, 2022. Series C No. 475, para. 102.

195 Case of Angulo Losada v. Bolivia. Preliminary Objections, merits and reparations. Judgment of November 18, 2022. Series C No. 475, para. 103.

preventing the victims from suffering further harm during such proceedings. During the investigation and the judicial proceedings, child and adolescent victims should not only be treated in a way that is adapted to them, but also with sensitivity, “taking into account their personal situation, their needs, their age, their sex, their disability, and their level of maturity, and fully respecting their physical, mental and moral integrity.” In this regard, the Court agreed with the opinion expressed by expert witness Cillero during the hearing that “women victims of sexual crimes, and child and adolescent victims of sexual crimes, are at a huge disadvantage in criminal proceedings, as a result of the traumas they have suffered”; therefore, it is necessary that “empathetic neutrality” should exist in the relations between the officials of the system of justice and the victims of sexual violence.¹⁹⁶

In the Case of Angulo Losada v. Bolivia, the Court reiterated that sexual violence is an extremely traumatic experience that may have severe consequences and cause great physical and mental harm. It leaves the victim “physically and emotionally humiliated,” a situation that it is difficult to overcome with the passage of time, contrary to other traumatic experiences. In the Case of child and adolescent victims of sexual violence, this impact could be severely aggravated, so that they may suffer a differentiated emotional trauma to that of adults, and an extremely profound impact, in particular when a bond of trust and authority exists between the aggressor and the victim, such as in the Case of a parent or other adult in the family who has a caregiving or supervising relationship with the victim. Therefore, the Court recalls the importance of adopting a care protocol addressed at reducing the consequences on the victim’s bio-psychosocial well-being. In this regard, the Court has indicated that, in Cases of sexual violence, the State must, on being informed of the facts, provide, immediately and free of charge, professional assistance, both medical and psychological and/or psychiatric by a professional with specific training on attending victims of this type of crime and with a child- and gender-based approach. The support must be maintained throughout the criminal proceedings, endeavoring to ensure that it is the same professional who accompanies the child or adolescent. It is extremely important that, in the course of the proceedings and the support services, the age, level of maturity and understanding, gender, sexual orientation, socio-economic level, and aptitudes and capacities of the child or adolescent are taken into account, as well as any other special factor or need.¹⁹⁷

Consequently, in the Case of Angulo Losada v. Bolivia, the Court established that States should guarantee: (i) that any proceedings take place in an environment that is not intimidating, hostile, insensitive or inappropriate to the age of the child or adolescent; (ii) that the personnel responsible for receiving the narrative of the facts (including administrative, judicial and prosecutorial authorities, and health personnel) are fully qualified, so that the children or adolescents feel respected and safe when giving their account of what happened and expressing their opinion, and also in an appropriate physical, mental and emotional environment that allows them to recount the events that occurred or their experiences in the manner of their choice, without the personnel using an offensive, discriminatory or stigmatizing language; (iii) that, throughout the proceedings, the children or adolescents are treated with tact and sensitivity, explaining to them the reasons for and utility of the procedures that will be conducted or the nature of the expert appraisals to which they will be subjected, always based on their age, level of maturity and development, and in keeping with their right to information; (iv) that, if appropriate, the privacy and the confidentiality of the information provided by children and adolescents who are victims of sexual violence will be respected, always avoiding their participation in an excessive number of interventions or their exposure to the public, adopting the necessary measures to avoid causing them suffering during the proceedings and subjecting

196 Case of Angulo Losada v. Bolivia. Preliminary Objections, merits and reparations. Judgment of November 18, 2022. Series C No. 475, para. 104.

197 Case of Angulo Losada v. Bolivia. Preliminary Objections, merits and reparations. Judgment of November 18, 2022. Series C No. 475, para. 105.

them to further harm; (v) that the interview with the child or adolescent victim of sexual violence, which should be videotaped, is conducted by a qualified psychologist or a professional in a similar field duly qualified to take this type of statement, and that they cannot be questioned directly by the Court or the parties; (vi) that the interview rooms provide an environment that is safe and not intimidating, hostile or inappropriate, and that offers privacy and inspires confidence in the victims, and (vii) that children and adolescents are not interviewed more than strictly necessary, based on their best interests, to avoid revictimization or a traumatic impact.¹⁹⁸

Regarding the physical examination, in the Case of Angulo Losada v. Bolivia, the Court recalled that it had already ruled that authorities must avoid, insofar as possible, subjecting victims to more than one physical evaluation, which could be revictimizing. In these cases, the medical examination must be performed by a professional with extensive knowledge and experience in Cases of sexual violence against children and adolescents, who will try and minimize or avoid causing them additional trauma or revictimizing them. It is recommendable that the victim or, if appropriate their legal representative, is able to choose the sex of the examiner, and that the examination is performed by a specialist in pediatric and adolescent gynecology with specific training in forensic medical examinations in Cases of sexual abuse and rape. In addition, the medical examination must only be performed following the informed consent of the victim, or their legal representative, in accordance with their level of maturity, taking into account the right of the child to be heard, in an appropriate place, respecting intimacy and privacy, and permitting the victim to be accompanied by a person of their confidence. Likewise, a record of the examination must be drawn up which includes the information provided by the victim prior to the examination and during this, and also a record of the victim's informed consent to each stage of the examination. This record should be signed by the specialist who performs the examination, the victim or their legal representative, and the person of confidence who accompanies the victim. The need for a gynecological examination should be considered on a case-by-case basis, taking into account the time that has passed since the moment at which it is alleged that the sexual violence occurred. Consequently, the Court considered that the request for a gynecological examination should be justified in detail and, if it is not required or it is not possible to obtain the victim's informed consent, the examination should be omitted; however, this can never serve as an excuse to discredit and/or prevent an investigation.¹⁹⁹

- **Consent in crimes of sexual violence, and access to justice**

In the Case of Angulo Losada v. Bolivia, the Court endorsed the position of diverse international bodies and considered that the criminal laws on sexual violence should include the need for consent as the central element. In other words, for rape to have been committed, evidence of threats, use of force or physical violence should not be required; rather it should be sufficient that it is shown, with any appropriate type of evidence, that the victim did not consent to the sexual act. The definition of crimes relating to sexual violence should focus on consent, as an essential element in access to justice by women victims of sexual violence. Therefore, it is not necessary to prove resistance to the physical assault, but rather the absence of consent, based on Article 7 of the Convention of Belém do Pará. It should be underscored that it can only be understood that consent has been given when this has been freely indicated by acts that, in keeping with the circumstances of the case, clearly express the person's willingness – either by verbal consent, or because this consent can be inferred from a conduct plainly identifiable as voluntary participation.²⁰⁰

198 Case of Angulo Losada v. Bolivia. Preliminary Objections, merits and reparations. Judgment of November 18, 2022. Series C No. 475, para. 106.

199 Case of Angulo Losada v. Bolivia. Preliminary Objections, merits and reparations. Judgment of November 18, 2022. Series C No. 475, para. 107.

200 Case of Angulo Losada v. Bolivia. Preliminary Objections, merits and reparations. Judgment of November 18, 2022. Series C No. 475, para. 145.

In the Case of Angulo Losada v. Bolivia, the Court indicated that the importance of the role of consent in situations of sexual violence is also justified by the high number of cases in which the sexual abuse occurs when the relations between victim and aggressor are marked by asymmetrical power. Such power is used by the dominant partner to subdue the victim through acts committed, for example, in institutional surroundings – the workplace or an educational setting – and through economic deprivation. Often, in these situations, it is likely that there is no physical violence and that the victim does not expressly reject the sexual act, “but the violation occurs because consent is assumed in situations of unequal power.”²⁰¹

Also, in the Case of Angulo Losada v. Bolivia, the Court indicated that there are situations in which there are flaws in the consent, and recognized that the absence of a legal definition of psychological violence, for example, hinders the possibility of investigating rape. In this regard, in keeping with MESCEVI General Recommendation No. 3, the Court considered it essential that States include in their criminal law criteria that makes it possible to determine the absence of consent in a sexual act, such as: (a) use of or threat to use force; (b) coercion or fear of violence or of the consequences; (c) intimidation; (d) arrest and/or deprivation of liberty; (e) psychological oppression; (f) abuse of power, and (g) inability to understand sexual violence.²⁰²

The Court also found it necessary that criminal laws also establish that consent may not be inferred: (i) when force, threat of force, coercion or exploitation of a coercive environment have diminished the victim’s ability to give voluntary and free consent; (ii) when the victim is unable to give free consent; (iii) based on the victim’s silence or lack of resistance to sexual violence, and (iv) when there is a power relationship that forces the victim to act out of fear of the consequences, and that exploits a coercive environment.²⁰³

In the Case of Angulo Losada v. Bolivia, the Court considered that it was essential that laws on crimes of sexual violence establish that consent cannot be inferred, but must always be given expressly and freely prior to the act, and that it is reversible. Based on this premise, as the Court has already indicated, in the presence of “any type of coercive situation there is no longer any need to invoke the mechanism of consent because that situation evidently eliminates consent.”²⁰⁴

In this regard, in the Case of Angulo Losada v. Bolivia, the Court reiterated its findings in other cases to the effect that no reference to the victim’s consent to sexual relations should be made when the aggressor represents a figure of authority for the victim because there is an imbalance of power that is aggravated by the difference of age between the victim and the aggressor. In such cases, what might appear to be the victim’s consent may not be valid due precisely to the imbalance of power in the relationship which is revealed by the victim’s submission.²⁰⁵

- **Intervention and limits to the military criminal jurisdiction**

In the Case of Casierra Quiñonez et al. v. Ecuador, the Court recalled its consistent Case Law regarding the restriction of the military jurisdiction from examining facts that constitute human rights violations, to the effect that, under the democratic Rule of Law, the military criminal jurisdiction must have a restrictive and exceptional scope, and be directed at the protection of special legal interests relating to the functions

201 Case of Angulo Losada v. Bolivia. Preliminary Objections, merits and reparations. Judgment of November 18, 2022. Series C No. 475, para. 146.

202 Case of Angulo Losada v. Bolivia. Preliminary Objections, merits and reparations. Judgment of November 18, 2022. Series C No. 475, para. 147.

203 Case of Angulo Losada v. Bolivia. Preliminary Objections, merits and reparations. Judgment of November 18, 2022. Series C No. 475, para. 148.

204 Case of Angulo Losada v. Bolivia. Preliminary Objections, merits and reparations. Judgment of November 18, 2022. Series C No. 475, para. 149.

205 Case of Angulo Losada v. Bolivia. Preliminary Objections, merits and reparations. Judgment of November 18, 2022. Series C No. 475, para. 151.

inherent to the armed forces. Consequently, the Court has indicated that the military jurisdiction should only try military personnel on activity duty for the perpetration of crimes or misdemeanors that, by their very nature, violate the specific legal interest of the military forces. The fact that the individuals involved are members of the armed forces or that the events occurred within a military establishment does not mean, *per se*, that military justice should intervene. This is because, owing to the nature of the crime and the legal interest violated, the military criminal jurisdiction is not the competent jurisdiction to investigate and, if appropriate, prosecute and punish the perpetrators of human rights violations; to the contrary, the prosecution of those responsible always corresponds to the common or ordinary system of justice. In the Case of Grijalva Bueno v. Ecuador, the Court pointed out that officers of the military criminal jurisdiction “were hierarchically subordinate to the Executive Branch and, therefore, were not independent judges.”²⁰⁶

The Court has indicated that when the military justice assumes jurisdiction over a matter that should be heard by the ordinary justice system, the right to a natural judge is impaired and, *a fortiori*, due process, which is closely linked to the right of access to justice itself. The judge in charge of hearing a case must be competent, and also independent and impartial. In this sense, the victims of human rights violations and their families have the right that such violations are heard and decided by a competent court, in accordance with due process and access to justice, which, evidently, was not guaranteed to the alleged victims in this specific case.²⁰⁷

The Court emphasized that the State had acknowledged that both the investigation and the proceedings before the military criminal jurisdiction were not in accordance with Inter-American standards, given the lack of competence of that jurisdiction to hear facts related to human rights violations. Thus, the Court found that the ordinary judge's disqualification from hearing the case, the time during which the case was heard by the military jurisdiction, and the latter's decision to dismiss the case, subsequently confirmed – which has determined that the facts have not yet been clarified and the pertinent responsibilities have not yet been established – constituted violations of the guarantee of a natural judge and also the rights to due process and to access to justice of the alleged victims.

Given the arguments made, the Court recalls that States can establish truth commissions, which contribute to the construction and preservation of the historical memory, the clarification of facts, and the determination of institutional, social and political responsibilities during certain historical periods of a society. However, this neither completes nor replaces the obligation of the State to determine the truth through judicial proceedings.²⁰⁸

- **Rights to prior detailed notification of the charges, to adequate time and means for the preparation of the defense, and to appeal the sentence**

In the Case of Mina Cuero v. Ecuador, the Court reiterated that, even though Article 8 of the American Convention is entitled “Right to a Fair Trial,” its application is not limited to judicial proceedings *stricto sensu*, “but rather [to the] series of requirements that must be observed by procedural instances, whatsoever their nature,” to ensure that individuals are able to defend themselves adequately from any act of the State that may affect their rights. Therefore, any act or omission of the state organs in the course of proceedings, whether these are punitive administrative or jurisdictional proceedings, must respect due process of law.²⁰⁹

206 Case of Casierra Quiñonez et al. v. Ecuador. Preliminary objection, Merits, Reparations and Costs. Judgment of May 11, 2022. Series C No. 450, para. 149.

207 Case of Casierra Quiñonez et al. v. Ecuador. Preliminary objection, Merits, Reparations and Costs. Judgment of May 11, 2022. Series C No. 450, para. 151.

208 Case of Casierra Quiñonez et al. v. Ecuador. Preliminary objection, Merits, Reparations and Costs. Judgment of May 11, 2022. Series C No. 450, para. 154.

209 Case of Mina Cuero v. Ecuador. Preliminary objection, Merits, Reparations and Costs. Judgment of September 7, 2022. Series C No. 464, para. 80.

With regard to the right to be heard, established in Article 8(1) of the Convention, the Court has interpreted this in the general sense of understanding the right of everyone to have access to the state body or organ responsible for determining their rights and obligations. Regarding this right, the Court reiterated that victims must have extensive possibilities of being heard and acting in the respective proceedings, so that they are able to set out their claims and present evidence, and that these are examined fully and effectively by the authorities before a decision is taken on facts, responsibilities, penalties and reparations.²¹⁰

Meanwhile, Article 8(2) of the Convention establishes the minimum guarantees that States must ensure based on due process of law. In its Case Law, the Court has ruled law on the scope of this article and has established that it is not limited to criminal proceedings, but extends, if applicable, to administrative proceedings against state authorities and to non-criminal judicial proceedings in the labor, administrative and constitutional sphere. It has also indicated that, both in the foregoing and in other matters, “the individual also has the right, in general, to the due process of law applied in criminal matters.” This means that the guarantees of Article 8(2) of the Convention are not exclusive to criminal proceedings, but rather are applicable to any punitive procedure. In each case, it is necessary to determine the minimum guarantees that relate to a specific non-criminal punitive procedure, according to its nature and scope.²¹¹

Regarding the right to prior notification in detail of the charges, established in Article 8(2)(b) of the Convention, the Court has established that this right means that a factual description of the conduct attributed to the accused must be provided that includes the factual information in the indictment; this constitutes the essential reference for the exercise of the defense. Therefore, the accused has a right to know, by a clear, precise and detailed description, the facts that are attributed to him. The Court has pointed out that the State must inform the person concerned not only of the reasons for the charges – that is, the acts or omissions attributed to him – but also the reasons that led the State to bring charges, the evidence proving them, and the legal classification accorded to the facts.²¹²

Furthermore, according to the Court’s Case Law, the right to have adequate time and means for the preparation of the defense, established in Article 8(2)(c) of the Convention, obliges the State to allow the accused to have access to the case file against him; it also signifies that the adversarial principle must be respected that guarantees his intervention in the analysis of the evidence. In addition, adequate means for presenting the defense include all the materials and evidence required, as well as exculpatory documents.²¹³

ARTICLE 13 (RIGHT TO FREEDOM OF THOUGHT AND EXPRESSION)

• The murder of journalists as an extreme form of censorship

In the Case of Leguizamón Zaván et al. v. Paraguay, the Court underscored that the murder of those who exercise the profession of journalism constitutes the most extreme form of censorship, by preventing them from continuing to disseminate opinions, ideas and information of public relevance. Consequently, this means that their right to freedom of thought and expression is violated in its individual aspect, as well as the possibility of contributing to a pluralist public debate on matters of national importance. In addition, the murder of a journalist has an impact not only on him, but also on society and on his journalist colleagues,

210 Case of Mina Cuero v. Ecuador. Preliminary objection, Merits, Reparations and Costs. Judgment of September 7, 2022. Series C No. 464, para. 83.

211 Case of Mina Cuero v. Ecuador. Preliminary objection, Merits, Reparations and Costs. Judgment of September 7, 2022. Series C No. 464, para. 84.

212 Case of Mina Cuero v. Ecuador. Preliminary objection, Merits, Reparations and Costs. Judgment of September 7, 2022. Series C No. 464, para. 85.

213 Case of Mina Cuero v. Ecuador. Preliminary objection, Merits, Reparations and Costs. Judgment of September 7, 2022. Series C No. 464, para. 86.

for whom it can have a chilling effect. It can also involve the violation of the right to freedom of expression in its collective dimension owing to the self-censure that the professionals may impose on themselves as a strategy to safeguard their life and integrity,²¹⁴ thus creating a fertile ground for authoritarian regimes. To the contrary, “in a climate where journalists are safe, citizens find it easier to access quality information and many objective become possible as a result: democratic governance and poverty reduction; conservation of the environment; gender equality and the empowerment of women; justice and a culture of human rights, to name a few.” Consequently, the guarantee of the pluralism intrinsic to democratic societies requires the greatest possible circulation of articles and opinions on matters of public interest that guarantee the peoples’ right of access to information and ideas representing diverse positions.²¹⁵

It is also evident that an adequate fight against corruption requires transparency in the exercise of power. The role of the media is fundamental in this regard to inform the population of the degree to which the constitutional powers comply with the law, by act or by omission, fulfilling a relevant social role in the formation of public opinion. That relationship between transparency, democracy and probity is clearly reflected in the Inter-American Democratic Charter when it establishes that “[t]ransparency in government activities, probity, responsible public administration on the part of governments, respect for social rights, and freedom of expression and of the press are essential components of the exercise of democracy.” The protection of the work of the media in its role as guardian of the general interest is not only a matter of public significance, but also a matter of the survival of the democratic system. In this regard, the preamble to the Inter-American Convention against Corruption establishes that “representative democracy, an essential condition for stability, peace and development of the region, requires, by its nature, the combating of every form of corruption in the performance of public functions, as well as acts of corruption specifically related to such performance.”²¹⁶

- **Importance of the role of the journalist in a democratic society, and protection of journalistic sources**

In the Case of Moya Chacón et al. v. Costa Rica, the Court emphasized that “[t]he professional practice of journalism cannot be differentiated from freedom of expression. On the contrary, both are clearly intertwined, for the professional journalist is not, nor can he be, anything but someone who has decided to exercise freedom of expression in a continuous, regular and paid manner.” Indeed, the Court has characterized mass media as a true instrument of freedom of expression and has also indicated that “[i]t is the mass media that make the exercise of freedom of expression a reality. This means that the conditions of its use must conform to the requirements of this freedom, with the result that there must be, inter alia, a plurality of means of communication, the barring of all monopolies thereof in whatever form, and guarantees for the protection of the freedom and independence of journalists.”²¹⁷

The Court recalled that, for the press to be able to play its role of journalistic control, it must not only be free to impart information and ideas of public interest, but also to collect, compile and evaluate that information and those ideas. Any measure that interferes in the journalistic activities of those who are performing this function will inevitably obstruct the right to freedom of expression in its individual and collective dimensions.²¹⁸

214 Case of Leguizamón Zaván et al. v. Paraguay. Merits, Reparations and Costs. Judgment of November 15, 2022. Series C No. 473, para. 55.

215 Case of Leguizamón Zaván et al. v. Paraguay. Merits, Reparations and Costs. Judgment of November 15, 2022. Series C No. 473, para. 57.

216 Case of Leguizamón Zaván et al. v. Paraguay. Merits, Reparations and Costs. Judgment of November 15, 2022. Series C No. 473, para. 58.

217 Case of Moya Chacón et al. v. Costa Rica. Preliminary Objections, Merits, Reparations and Costs. Judgment of May 23, 2022. Series C No. 451, para. 66.

218 Case of Moya Chacón et al. v. Costa Rica. Preliminary Objections, Merits, Reparations and Costs. Judgment of May 23, 2022. Series C No. 451, para. 67.

In the Case of Moya Chacón et al. v. Costa Rica, the Court considered that the journalist has a duty to verify reasonably, although not necessarily exhaustively, the facts he divulges. In other words, it is valid to require fairness and diligence in the comparison of sources and the search for information. This signifies the right of everyone not to receive a distorted version of the facts. Consequently, journalists are obliged to take a critical distance in relation to their sources and compare them with other relevant information. The European Court of Human Rights has indicated that, even though they are protected by freedom of expression, in the performance of their task, journalists must abide by the principles of responsible and “ethical journalism,” and this is particularly relevant in contemporary society where “not only do they inform; they can also suggest by the way in which they present the information how it is to be assessed.”²¹⁹

In addition, the Court determined that, given the importance of freedom of expression in a democratic society and the enhanced responsibility that this entails for professionals employed in the mass media, the State must not only minimize the restrictions to the circulation of information, but must also, insofar as possible, aim at a balanced participation of diverse information in public discussions, encouraging the pluralism of information. Lastly, the Court has indicated that it is essential that journalists who work in the media should enjoy the necessary protection and independence to perform their task effectively because it is they who keep society informed, and this is an indispensable requirement for the latter to enjoy full freedom and to enhance public debate.²²⁰

In the context of the protection that States must grant, the protection of journalistic sources is essential. This is a cornerstone of freedom of the press and, in general, of a democratic society, because it enables a society to benefit from investigative journalism in order to strengthen good governance and the Rule of Law. The confidential nature of journalistic sources is, therefore, essential for the work of journalists and for their role in society as providers of information concerning matters of public interest.²²¹

- **Subsequent liability and inadmissibility of the criminal action in the Case of public officials**

In the Case of Baraona Bray v. Chile, the Court considered that issues of public interest were those opinions or information on matters in which society has a legitimate interest to keep itself informed, in order to be aware of matters that influence the functioning of the State or have an impact on general interests or rights, or which have important consequences. This is the Case of statements on environmental matters. In this regard, the opinions, statements, ideas and information on the protection or management of the environment, as well as on the environmental impact and risks of activities or projects, should be considered matters of public interest in relation to the protection of freedom of expression because, as the Court has recognized in its Case Law, the respect and guarantee of human rights cannot be separated from environmental protection. It should also be pointed out that the Court has acknowledged the existence of an undeniable relationship between the protection of the environment and the exercise of other human rights, because environmental damage and the adverse effects of climate change have an impact on the effective enjoyment of human rights. Consequently, there can be no doubt that environmental issues should be considered matters of public interest in a democratic society and that it corresponds to the State to protect freedom of expression and encourage public participation in such matters.²²²

219 Case of Moya Chacón et al. v. Costa Rica. Preliminary Objections, Merits, Reparations and Costs. Judgment of May 23, 2022. Series C No. 451, para. 68.

220 Case of Moya Chacón et al. v. Costa Rica. Preliminary Objections, Merits, Reparations and Costs. Judgment of May 23, 2022. Series C No. 451, para. 69.

221 Case of Moya Chacón et al. v. Costa Rica. Preliminary Objections, Merits, Reparations and Costs. Judgment of May 23, 2022. Series C No. 451, para. 70.

222 Case of Baraona Bray v. Chile. Preliminary Objections, Merits, Reparations and Costs. Judgment of November 24, 2022, para. 114.

Therefore, considering the need to harmonize the protection of the right to freedom of expression and the right to honor, and the importance of freedom of expression in a democratic society, the Court reiterated that the imposition of subsequent liability based on the abusive exercise of the right to freedom of expression is exceptional. However, in keeping with international Case Law, and considering the relevance of statements that are of public interest and the fact that criticism of public officials should have greater acceptance, it indicated that, in the Case of the exercise of the right to freedom of expression on matters of public interest and, in particular, regarding criticism of public officials, a criminal response is contrary to the American Convention. Consequently, States should create mechanisms other than criminal law for public officials to obtain a rectification or response or civil redress when their honor or good name has been injured. The measures established should be applied in accordance with the principle of proportionality, because even in those cases in which there has been an abusive exercise of freedom of expression and in which it is appropriate to award onerous damages, the punishment imposed should be assessed based on the right to freedom of expression and, therefore, should be proportionate to the reputational harm suffered. In addition, guarantees should exist that permit protecting the person sanctioned against compensation awards that are disproportionate in relation to the amount established for reputational harm.

In the Case of *Baraona Bray v. Chile*, the Court recalled that it had established that, in the Case of speech that is protected due to its public interest, such as that relating to the conduct of public officials in the exercise of their functions, the punitive response of the State, using criminal law to protect the official's honor, is inadmissible under the Convention. That said, in each specific case, the classification of a statement as a matter of public interest depends on weighing three elements – subjective, functional and material – and this grants criminal judges a considerable margin of discretion. It means that the said analysis cannot be made before recourse has been had to the criminal jurisdiction, because a decision of this type is only admissible after criminal proceedings have been initiated. Thus, even though the competent judicial authority rules that the criminal sanction is not applicable, the threatening effect that infringes freedom of expression has already occurred.²²³

Consequently, the Court found it necessary to continue on the path of protecting the right to freedom of expression recognized in Article 13 of the Convention, in the understanding that, in the Case of offenses against honor that involve insults and the attribution of abusive acts, the prohibition of criminal prosecution should not be based on the possible classification of the statements that gave rise to subsequent liability as being of public interest, but rather on the condition of public official or public authority of the person whose honor has allegedly been harmed.²²⁴

In this way, the chilling effect caused by the filing of criminal proceedings would be avoided, as well as its repercussions on the enjoyment of freedom of expression, and the undermining and impoverishment of the discussion on matters of public interest. In addition, the right to freedom of expression is safeguarded effectively because, by immediately ruling out the possibility of initiating criminal proceedings, the use of this mechanism to inhibit or discourage dissident voices or complaints against public officials is avoided.²²⁵

ARTICLE 17 (RIGHTS OF THE FAMILY) AND ARTICLE 19 (RIGHTS OF THE CHILD)

In the Case of *Valencia Campos et al. v. Bolivia*, the Court established that the protection of private and family life and home involves the recognition that a personal sphere exists that must be exempt and

²²³ Case of *Baraona Bray v. Chile*. Preliminary Objections, Merits, Reparations and Costs. Judgment of November 24, 2022, para. 128.

²²⁴ Case of *Baraona Bray v. Chile*. Preliminary Objections, Merits, Reparations and Costs. Judgment of November 24, 2022, para. 129.

²²⁵ Case of *Baraona Bray v. Chile*. Preliminary Objections, Merits, Reparations and Costs. Judgment of November 24, 2022, para. 130.

immune from abusive or arbitrary interference or invasion by third parties or public authorities. Thus, the home and private and family life are intrinsically linked because the home is a space in which private life and family life can be developed freely.²²⁶ In addition, the Court appreciated that the family – without establishing any particular model – is the natural and fundamental element of society and has a right to protection by society and the State. Given the importance of that right, recognized in Article 17 of the Convention, the Court has established that the State is obliged to facilitate the strengthening and development of the family unit. Therefore, it is obliged to take positive and negative measures to protect people from arbitrary or unlawful interference in their family and facilitate effective respect for family life. The Court also recalled that interference with the right to family life is more severe when it has an impact on the rights of children and adolescents and that their separation from their parents may, in certain situations, jeopardize the survival and realization of their rights, which should be guaranteed by the State pursuant to Article 19 of the American Convention and Article 6 of the Convention on the Rights of the Child, particularly by the protection of the family and an absence of unlawful or arbitrary interference in the family life of children, because the family plays an essential role in their development.²²⁷

In this regard, the Court has considered that, in light of Article 11(2) of the Convention, obtaining due authorization or a court order to conduct a house search should be understood as the general rule, and its exceptions, such as *flagrante delicto*, are only valid in the circumstances established by law and, as exceptions, they must be interpreted strictly.²²⁸

In the Case of Valencia Campos et al. v. Bolivia, the Court considered that the house searches during the evening hours had a disproportionate impact on women and children. The home is the place, par excellence, where caregiving roles are realized and those roles have, historically, been the responsibility of women in particular. The domestic sphere is a particularly feminine sphere. Thus, a gender-based approach must be adopted in the execution of home searches.²²⁹

ARTICLE 19 (RIGHTS OF THE CHILD)

In the Case of Angulo Losada v. Bolivia, the Court understood that, pursuant to Article 19 of the American Convention, the State is obliged to facilitate special measures of protection in keeping with the principle of the best interests of the child, assuming its position of guarantor with greater care and responsibility considering their special vulnerability. The best interests of the child are based on the very dignity of the human being, on the inherent characteristics of children, and on the need to facilitate their development. Article 3 of the Convention on the Rights of the Child establishes that “[i]n all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.” With regard to this principle, the Committee on the Rights of the Child has indicated that “[e]very legislative, administrative and judicial body or institution is required to apply the best interests principle by systematically considering how children’s rights and interests are or will be affected by their decisions and actions - by, for example, a proposed or existing law or policy or administrative action or court decision, including those which are not directly concerned with children, but indirectly affect children.”²³⁰

226 Case of Valencia Campos et al. v. Bolivia. Preliminary objection, Merits, Reparations and Costs. Judgment of October 18, 2022. Series C No. 469, para. 147.

227 Case of Valencia Campos et al. v. Bolivia. Preliminary objection, Merits, Reparations and Costs. Judgment of October 18, 2022. Series C No. 469, para. 148.

228 Case of Valencia Campos et al. v. Bolivia. Preliminary objection, Merits, Reparations and Costs. Judgment of October 18, 2022. Series C No. 469, para. 149.

229 Case of Valencia Campos et al. v. Bolivia. Preliminary objection, Merits, Reparations and Costs. Judgment of October 18, 2022. Series C No. 469, para. 153.

230 Case of Angulo Losada v. Bolivia. Preliminary Objections, merits and reparations. Judgment of November 18, 2022. Series C No. 475, para. 98.

- **The protection of children in the context of an armed conflict**

In the Case of Members and Militants of the Patriotic Union v. Colombia, the Court reiterated that alleged violations of other articles of the Convention, in which children are alleged victims, must be interpreted in light of the corpus iuris of children's rights. This means that Article 19, in addition to granting special protection to the rights recognized in the American Convention, establishes an obligation on the part of the State to respect and ensure the rights recognized for children in other applicable international instruments. In this context, the State must assume its special position of guarantor with greater care and responsibility, and must take special measures to this end. It should be recalled that the Court has pointed out that "the special vulnerability of children is even more evident in a situation of internal armed conflict, [...] since they are the least prepared to adapt or respond to such a situation and, sadly, they are the ones who suffer disproportionately from its excesses."²³¹

In the Case of Members and Militants of the Patriotic Union v. Colombia, the Court considered it necessary to draw attention to the particular consequences of the brutality with which the acts were committed to the detriment of the children in this case. Thus, the Court highlights the fact that the continuation over time of the acts of violence that were directed against the members of the Patriotic Union particularly affected the children of the said community.²³²

ARTICLE 23 (POLITICAL RIGHTS) IN RELATION TO ARTICLES 13 (FREEDOM OF EXPRESSION) AND 16 (FREEDOM OF ASSOCIATION)

- **The relationship between political rights, freedom of expression and freedom of association and their importance for democracy**

In the Case of Members and Militants of the Patriotic Union v. Colombia, the Court reiterated that it has recognized the relationship between political rights, freedom of expression and freedom of association, and that these rights, together with the right of Assembly, make democracy possible.²³³ In addition, it recalled that the democratic principle inspires, permeates and guides the application of the American Convention in a cross-cutting manner. It constitutes both a guiding principle and an interpretive guideline. As a guiding principle, it articulates the form of political organization chosen by the States of the Americas to achieve the values that the system seeks to promote and protect, among which is the full enjoyment of human rights.²³⁴

The Court reiterated that the effective exercise of political rights constitutes an end in itself and, at the same time, a fundamental means for democratic societies to guarantee the other human rights provided for in the Convention. Moreover, in accordance with Article 23 of the Convention, their holders, i.e., citizens, must not only enjoy rights, but also "opportunities." This last term implies the obligation to guarantee, through positive measures, that every person who formally holds political rights has the real opportunity to exercise them. Political rights and their exercise promote the strengthening of democracy and political pluralism. Therefore, the State must provide the conditions and mechanisms so that these rights can be

231 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 358.

232 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 389.

233 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 304.

234 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 308.

exercised effectively, respecting the principle of equality and non-discrimination. Political participation may include wide-ranging and diverse activities that people carry out individually or that are organized, with the purpose of intervening in the selection of those who will govern a State or who will be in charge of the administration of public affairs, and also to have an impact on the formulation of State policy through mechanisms of direct participation or, in general, to intervene in matters of public interest, such as the defense of democracy.²³⁵

The Court recalled its Case Law on freedom of expression and affirmed that, particularly in matters of public interest, "it is a cornerstone for the very existence of a democratic society." Without an effective guarantee of freedom of expression, the democratic system is weakened and pluralism and tolerance are undermined, the citizen oversight and complaint mechanisms may become inoperative and, in short, a fertile ground is created for the entrenchment of authoritarian systems.²³⁶ In addition, freedom of expression, has both an individual and a social dimension and requires, on the one hand, that no one be arbitrarily limited or prevented from expressing his or her thoughts and therefore represents a right of each individual; but, on the other hand, it also involves a collective right to receive any information and to know the expression of the thoughts of others.²³⁷

The Court referred to the essential role that freedom of expression plays in the consolidation and dynamics of a democratic society. Without effective freedom of expression, materialized in all its terms, democracy fades, pluralism and tolerance begin to break down, the citizen oversight and complaint mechanisms begin to become inoperative and, in short, a fertile ground for authoritarian systems to take root in society begins to be created.²³⁸

Regarding freedom of association, the Court recalled that Article 16(1) of the American Convention establishes the right of individuals to associate freely for ideological, religious, political, economic, labor, cultural, sports or any other purpose. The right of association is characterized by enabling individuals to create or participate in entities or organizations for the purpose of acting collectively in pursuit of the most diverse purposes, as long as these are legitimate. The Court has established that those subject to the jurisdiction of the States Parties have the right to associate freely with other persons, without the intervention of the public authorities limiting or hindering the exercise of this right. In other words, this is the right to associate in the common realization of a lawful objective, and the correlative negative obligation of the State not to exert pressure or interfere in such a way as to alter or distort the said purpose.²³⁹

- **The rights to life, personal integrity and liberty, and the legitimate exercise of political rights, and the freedoms of expression and association**

In the Case of Members and Militants of the Patriotic Union v. Colombia, the Court reiterated that when a violation of the right to life, integrity or personal liberty attributable to the State has the objective of impeding the legitimate exercise of another right protected in the Convention, such as political rights, freedom of expression or association, a violation of these rights is also constituted. In this way, it must be

235 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 309.

236 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 310.

237 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 311.

238 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 312.

239 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 316.

determined, in general terms, whether the alleged violations of personal integrity, life and personal liberty were intended to impede the progress and development of the Patriotic Union party and whether these actions were derived not only from a failure to comply with the duty of protection on the part of the State, but also from actions directly attributable to the State, thus failing to comply with its duty to respect.²⁴⁰

In the Case of Members and Militants of the Patriotic Union v. Colombia, the Court considered that the climate of victimization and stigmatization did not create the necessary conditions for the militants and members of the Patriotic Union to fully exercise their political rights of expression and assembly. Their political activity was hindered by both physical and symbolic violence against a party that was labeled as an “internal enemy” and whose members and militants were subjected to homicide, forced disappearance and threats.²⁴¹

- **The recognition of a political party as a vehicle for political rights and a fundamental pillar of a democratic system**

The Court recalled that recognition of the rights of legal persons may involve, directly or indirectly, the protection of the human rights of associated natural persons. In the same way, the effects on legal persons may involve, directly or indirectly, the violation of the human rights of natural persons. In this sense, the Court has already analyzed the possible violation of the right to property of certain persons in their capacity as shareholders or partners of legal persons. Also, the Court referred to its Case Law in which it has indicated that restrictions to freedom of expression frequently materialize through actions of the State or private individuals that affect not only the legal person that constitutes a media outlet, but also the plurality of natural persons, such as its shareholders or the journalists who work there and who carry out acts of communication through it and whose rights may also be violated.²⁴²

It also asserted that just as the media are vehicles for freedom of expression, trade unions are instruments for the exercise of the right to freedom of association of workers, and political parties are vehicles for the exercise of the political rights of citizens. Consequently, actions that prescribe or limit the activities of parties can affect the political rights not only of their members and militants, but of the entire citizenry. Also, as vehicles of political rights, States must develop measures to protect political parties, particularly opposition parties.²⁴³

In this regard, the Court recalled that it had already emphasized that opposition voices are essential for a democratic society, without which it is not possible to reach agreements that address the different visions prevailing in a society. Therefore, the effective participation of individuals, groups, organizations and opposition political parties in a democratic society must be guaranteed by the States, through adequate regulations and practices that enable their real and effective access to the different deliberative spaces on equal terms, but also through the adoption of the necessary measures to guarantee their full exercise, taking into account the situation of vulnerability in which certain social sectors or groups find themselves.²⁴⁴

240 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 318.

241 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 325.

242 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 329.

243 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 330.

244 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 331.

In the Case of Members and Militants of the Patriotic Union v. Colombia, the Court noted that the inability of the Patriotic Union to obtain the results required to maintain its legal standing was closely linked to the circumstances of persecution and extermination to which its militants, sympathizers and members were subjected.²⁴⁵ The Court considered that the withdrawal of the Patriotic Union's legal status was an arbitrary decision, since it did not take into account the particular circumstances that affected the real capacity of the party to mobilize electoral forces. Consequently, by not allowing the participation of this group in the elections held since 2002, the State impaired the political rights of the members and militants of this group and, taking into account the role of the opposition political parties in the strengthening of democracy, of the citizens in general.²⁴⁶

- **Women victims of a systematic extermination of a political party**

In the Case of Members and Militants of the Patriotic Union v. Colombia, the Court noted that a significant number of the direct victims of the systematic extermination of UP members and militants were women.²⁴⁷ In this regard, the Court noted that, during armed conflicts, women and girls face specific situations that affect their human rights, such as acts of sexual violence, which is often used as a symbolic means of humiliating the opposing party or as a means of punishment and repression. The use of the state power to violate the rights of women in an internal conflict, in addition to affecting them directly, may be aimed at having an impact on society as a whole by means of such violations, and by delivering a message or lesson. In particular, rape constitutes a paradigmatic form of violence against women the consequences of which even transcend the person of the victim.²⁴⁸

- **Journalists victims of the systematic extermination of a political party**

In the Case of Members and Militants of the Patriotic Union v. Colombia, the Court noted that several of the direct victims of the extermination of the Patriotic Union were journalists by profession.²⁴⁹ In this regard, it recalled that violations of the right to freedom of expression recognized in Article 13 of the American Convention ranged from the excessive restriction of freedom of expression to its total suppression. One of the most violent forms of suppressing the right to freedom of expression is through the murder of journalists and social communicators. This type of violence against journalists may also have a negative impact on other journalists who must cover events of this nature, who may fear experiencing similar acts of violence. The Court also referred to the need to protect journalists from all types of violence, and the particular risk faced by women journalists, and indicated that when adopting measures for the protection of journalists, States should apply a strongly differentiated approach that takes into account gender considerations, conduct a risk assessment, and implement protection measures that take into account the risk faced by women journalists as a result of gender-based violence.²⁵⁰

245 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 335.

246 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 336.

247 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 392.

248 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 393.

249 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 396.

250 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 399.

- **The stigmatization of members and militants of a political party owing to comments by senior authorities**

In the Case of Members and Militants of the Patriotic Union v. Colombia, the Court reiterated that, in a democratic society, it is not only legitimate, but sometimes a duty of the State authorities to comment on matters of public interest. However, in doing so, they are subject to certain limitations in that they must reasonably, although not necessarily exhaustively, verify the facts on which they base their opinions, and do so with even greater diligence than is expected of private individuals, due to their high office, the broad scope and possible effects that their statements may have on certain sectors of the population, as well as to prevent citizens and other interested persons from receiving a distorted version of certain facts. In addition, they must bear in mind that as public officials they have a position of guarantor of the fundamental rights of the individual and, therefore, their statements may not disregard these or constitute forms of direct or indirect interference or harmful pressure on the rights of those who seek to contribute to public discussion through the expression and dissemination of their thoughts. This duty of special care is particularly accentuated in situations of increased social conflict, alterations of public order, and social or political polarization, precisely because of the risks they may involve for certain persons or groups at a given moment.²⁵¹

The Court concluded that the State not only failed to prevent attacks on the reputation and honor of the alleged victims, but that, through its officials and, in particular, its senior authorities, it contributed to them and had a direct participation in them, exacerbating their vulnerable situation and creating reasons to promote attacks against them.²⁵² In turn, this victimization through stigmatization increased the intimidating effects on party members and militants, which obstructed their participation in the democratic game and, therefore, the exercise of their political rights, as well as the full exercise of their political rights to freedom of expression and assembly.²⁵³

ARTICLE 25 (RIGHT TO JUDICIAL PROTECTION)

- **Special protection of the right to judicial protection of older persons**

In the Case of the National Federation of Maritime and Port Workers (FEMAPOR) v. Peru, the Court indicated that the obligation to comply with the final decisions and judgments of the competent authorities is greater with respect to older persons and requires a higher standard of promptness. This increased duty of protection, which is based on the special vulnerability of older persons, is a general principle of public international law.²⁵⁴

In this regard, the Inter-American Convention on Protecting the Human Rights of Older Persons has developed and defined this principle by recognizing the States' obligation to guarantee equality and non-discrimination (Article 3(d)), proper treatment and preferential care (Article 3(k)) and effective judicial protection (Article 3(n)). Article 31 of this international treaty also recognizes the right of access

251 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 406.

252 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 414.

253 Case of Members and Militants of the Patriotic Union v. Colombia. Preliminary Objections, Merits, Reparations and Costs. Judgment of July 27, 2022. Series C No. 455, para. 415.

254 Case of the National Federation of Maritime and Port Workers (FEMAPOR) v. Peru. Preliminary Objections, merits and reparations. Judgment of February 1, 2022. Series C No. 448, para. 79.

to justice and indicates that “older persons have the right to a hearing, with due guarantees and within a reasonable time, by a competent, independent and impartial tribunal, previously established by law, in the substantiation of any accusation of a criminal nature made against them or for the determination of their rights and obligations of a civil, labor, fiscal, or any other nature.” Paragraph three of that article states that “the States Parties shall ensure due diligence and preferential treatment to the older person for the processing, settlement and enforcement of decisions in legal and administrative proceedings at any stage.” This creates a right to preferential treatment for older persons in the enforcement of judgments in their favor and a correlative State duty to guarantee a diligent, prompt and effective access to justice for older persons, in administrative as well as judicial processes.²⁵⁵

Therefore, it may be concluded that in the Case of persons who are in a situation of vulnerability, a reinforced standard of expeditiousness can be required in all judicial and administrative proceedings, including the execution of judgment.²⁵⁶

ARTICLE 26 (ECONOMIC, SOCIAL AND CULTURAL RIGHTS)

- **Right to work**

The Court reiterated that the right to work is a right protected by Article 26 of the Convention. In this regard, the Court has noted that Articles 45(b) and (c), 46 and 34(g) of the OAS Charter establish a series of provisions that identify the right to work. In particular, the Court has observed that Article 45(b) of the OAS Charter establishes that: “[w]ork is a right and a social duty, it gives dignity to the one who performs it, and it should be performed under conditions, including a system of fair wages, that ensure life, health, and a decent standard of living for the worker and his family, both during his working years and in his old age, or when any circumstance deprives him of the possibility of working.” Thus, the Court has considered that there is a reference with a sufficient degree of specificity to the right to work to derive its existence and implicit recognition in the OAS Charter.²⁵⁷

In the Cases of *Mina Cuero v. Ecuador* and *Benites Cabrera et al. v. Peru*, the Court reiterated that the analysis that the competent authority makes of a judicial appeal – which contests constitutional rights such as job security and the right to due process – cannot be reduced to a mere formality and omit arguments submitted by the parties, because it must examine their reasons and rule on them pursuant to the standards established by the American Convention.²⁵⁸

Also, in the Cases of *Mina Cuero v. Ecuador* and *Benites Cabrera et al. v. Peru*, the Court indicated that job security does not consist in an unrestricted permanence in the post; but rather, among other measures, to respect this right by granting due guarantees of protection to the worker so that, if he or she is dismissed this is with justification, which means that the employer must provide sufficient reasons to impose this sanction with due guarantees, and that the worker may appeal this decision before the domestic authorities,

255 Case of the National Federation of Maritime and Port Workers (FEMAPOR) v. Peru. Preliminary Objections, merits and reparations. Judgment of February 1, 2022. Series C No. 448, para. 80.

256 Case of the National Federation of Maritime and Port Workers (FEMAPOR) v. Peru. Preliminary Objections, merits and reparations. Judgment of February 1, 2022. Series C No. 448, para.83.

257 Case of *Mina Cuero v. Ecuador*. Preliminary objection, Merits, Reparations and Costs. Judgment of September 7, 2022. Series C No. 464, para. 116.

258 Case of *Mina Cuero v. Ecuador*. Preliminary objection, Merits, Reparations and Costs. Judgment of September 7, 2022. Series C No. 464, para. 133.

who must verify that the justification given is not arbitrary or unlawful. In addition, the State fails to comply with its obligation to guarantee the right to work and, consequently, job security, when it fails to protect state officials from arbitrary dismissal from their employment.²⁵⁹

- **Protection of the right to work of older persons**

In the Case of the National Federation of Maritime and Port Workers (FEMAPOR) v. Peru, the Court recalled its considerations in the Case of Poblete Vilches et al. v. Chile, in which it stressed that older persons have the right to increased protection and, consequently, this requires the adoption of differentiated measures, as indicated in Teachers of Chañaral and other municipalities v. Chile, which required a reinforced standard of promptness in all judicial and administrative proceedings, including execution of judgment.²⁶⁰

The Court also noted that wages have a nutritional and survival nature as they are necessary to satisfy the worker's basic needs, which means that any disruption in receiving a wage has an impact on the enjoyment of other rights of the Convention, especially those contained in Article 26 of the American Convention, the increased protection of which has been emphasized by the UN Committee on Economic, Social and Cultural Rights in its General Comment No. 6 on older persons, when indicating that "the States Parties to the Covenant are obligated to pay particular attention to promoting and protecting the economic, social and cultural rights of older persons."²⁶¹

- **Right to work of persons with disabilities**

In the Case of Guevara Díaz v. Costa Rica, the Court noted that in the public sector, States have an enhanced responsibility to respect the right to work of persons with disabilities. This obligation translates, first of all, into a prohibition of any act of discrimination based on disability with respect to the exercise of their labor rights, particularly with respect to the selection and hiring of the employee, as well as their permanence in the position or promotion, and workplace conditions. Second, derived from the mandate of real or material equality, it translates into an obligation to take affirmative action to incorporate persons with disabilities into the workforce, an action that must be aimed at progressively removing the barriers that prevent them from fully exercising their labor rights. In this regard, States are required to adopt measures to ensure that persons with disabilities have effective and equal access to competitive public hiring processes through vocational training and education, as well as by making special adjustments to evaluation mechanisms so as to enable them to participate on an equal footing and make it possible to employ persons with disabilities in the public sector.²⁶²

Additionally, the Court found that the enhanced obligation to protect the right to work of persons with disabilities entails specific obligations for authorities examining complaints alleging acts of discrimination in the workplace. This obligation requires rigorous diligence in guaranteeing and

²⁵⁹ Case of Mina Cuero v. Ecuador. Preliminary objection, Merits, Reparations and Costs. Judgment of September 7, 2022. Series C No. 464, para. 134, and Case of Benites Cabrera et al. v. Peru. Preliminary Objections, Merits, Reparations and Costs. Judgment of October 4, 2022. Series C No. 465, para. 114.

²⁶⁰ Case of the National Federation of Maritime and Port Workers (FEMAPOR) v. Peru. Preliminary Objections, merits and reparations. Judgment of February 1, 2022. Series C No. 448, para. 110.

²⁶¹ Case of the National Federation of Maritime and Port Workers (FEMAPOR) v. Peru. Preliminary Objections, merits and reparations. Judgment of February 1, 2022. Series C No. 448, para. 111.

²⁶² Case of Guevara Díaz v. Costa Rica. Merits, Reparations and Costs. Judgment of June 22, 2022. Series C No. 453, para. 73.

respecting the rights of persons with disabilities in the context of administrative and judicial remedies analyzing violations of the right to work. First, therefore, the authorities must refrain from basing their decisions on discriminatory reasoning. Second, they must analyze more rigorously whether the right to work of people with disabilities could have been affected by discriminatory acts committed by the authorities or third parties. On this point, the Court considered that the authorities examining such remedies must analyze whether it has been sufficiently demonstrated that a different treatment for a person with a disability is justified, with special consideration accorded to their situation of vulnerability.²⁶³

- **Regarding the selection of teachers of religious classes by religious authorities and the autonomous nature of their decisions**

Regarding the autonomy of the decisions made by the religious authorities when selecting persons who are suitable to teach religion classes, this Court noted that there was no dispute that, based on the right to freedom of conscience and religion, religious communities must be free from any arbitrary interference by the State in areas related to religious beliefs and the organizational life of the community and, in particular, in matters concerning their internal organization. Nevertheless, for the Court, the central point of the discussion lay in determining whether the selection by a religious authority or community of the persons in charge of teaching religious education classes in a public educational establishment was included within the sphere of the autonomy inherent in the right to religious freedom.²⁶⁴

Accordingly, the Court has affirmed that an education that is imparted in violation of human rights does not allow for the fulfilment of the goal of achieving the full development of the human personality and the strengthening of respect for human rights and fundamental freedoms. Moreover, it is completely contrary to them and, therefore, violates the right to education. Therefore, States must take adequate steps to prevent violations of human rights during the process to provide children with an education.²⁶⁵

- **Regarding the ministerial exception in relation to acts relating to the functioning of a religious community**

With regard to the so-called “ministerial exception,” the Court understood that it operates in matters relating to the functioning of religious communities, such as the determination of the membership of the church, its ministers and its hierarchies. However, when this ministerial exception is applied in other areas, it becomes weaker and less robust, particularly in the field of education in public establishments, where the principles and values of tolerance, full respect for human rights, fundamental freedoms and non-discrimination are mandatory for the State.²⁶⁶

The Court indicated that although the appointment of teachers of a particular religious creed by the religious communities concerned may include a certain margin of autonomy, which would be consistent with the right to religious freedom, this cannot be absolute. This is because Catholic religion classes, which are part of a public education program in public schools, financed with public funds, are not within the scope of religious freedom that should be free from any interference by

263 Case of Guevara Díaz v. Costa Rica. Merits, Reparations and Costs. Judgment of June 22, 2022. Series C No. 453, para. 74.

264 Case of Pavez Pavez v. Chile. Merits, Reparations and Costs. Judgment of February 4, 2022. Series C No. 449, para. 119.

265 Case of Pavez Pavez v. Chile. Merits, Reparations and Costs. Judgment of February 4, 2022. Series C No. 449, para. 124.

266 Case of Pavez Pavez v. Chile. Merits, Reparations and Costs. Judgment of February 4, 2022. Series C No. 449, para. 128.

the State since they are not specifically related to religious beliefs or to the organizational life of the communities.²⁶⁷

Thus, religious authorities have broad autonomy when it comes to granting a certificate of suitability to teach religious education classes; however, given that this subject is part of the education program for children, this power, which derives directly from the right to religious freedom, must be adapted to the other rights and obligations in force in the area of equality and non-discrimination. This power of the religious authorities also applies to the revocation of the certificate of suitability, as long as the State's mandatory obligations and rights in the sphere of public education are respected.²⁶⁸ Taking into account the foregoing, the ministerial exception and the discretionary nature of the decisions of religious communities are not applicable in the area of education in public establishments.²⁶⁹

1. Regarding violations of the right to privacy and personal liberty through an infringement of labor rights

In the Case of Pavez Pavez v. Chile, the Court found that the rights to personal liberty and privacy of Sandra Pavez Pavez were affected in two different ways: (a) because the revocation of her certificate of suitability was specifically due to her sexual orientation, and because her sexual life was also subject to interference by the Vicariate, which allegedly urged her to end her homosexual life and made her continued employment as a teacher of the Catholic religion conditional upon her undergoing medical or psychiatric therapy; a position that was totally unacceptable from the perspective of the Rule of Law, under which human rights must be respected.²⁷⁰

267 Case of Pavez Pavez v. Chile. Merits, Reparations and Costs. Judgment of February 4, 2022. Series C No. 449, para. 129.

268 Case of Pavez Pavez v. Chile. Merits, Reparations and Costs. Judgment of February 4, 2022. Series C No. 449, para. 130.

269 Case of Pavez Pavez v. Chile. Merits, Reparations and Costs. Judgment of February 4, 2022. Series C No. 449, para. 131.

270 Case of Pavez Pavez v. Chile. Merits, Reparations and Costs. Judgment of February 4, 2022. Series C No. 449, paras. 134 and 135.



Financial management

IX. Financial management

A. Income

There are four main sources of the Inter-American Court's income:

- the OAS Regular Fund
- voluntary contributions from Member States
- international cooperation projects, and
- other special income.

During the 2022 fiscal exercise, the Court received a total income of US\$8,458,288.45, of which US\$5,024,000.00 (59.40%) was provided by the OAS Regular Fund.²⁷² Meanwhile, US\$548,073.72 (6.48%) corresponded to voluntary contributions from Member States, and US\$2,886,214.73 (34.12%) to international cooperation projects.

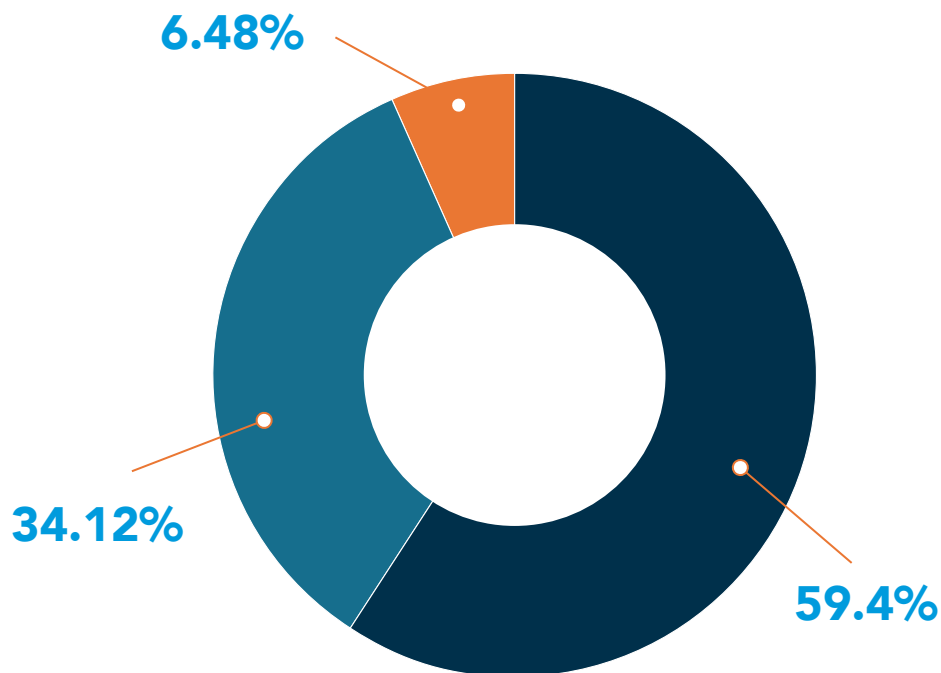
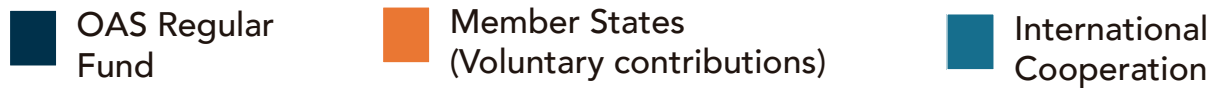
The following table shows the income received by the Inter-American Court during 2022:

INCOME 2022	
OAS REGULAR FUND	\$5,024,000.00
MEMBER STATES (voluntary contributions)	\$548,073.72
Republic of Costa Rica	\$99,155.53
United Mexican States	\$400,000.00
Republic of Peru	\$33,918.19
Republic of Chile	\$15,000.00
INTERNATIONAL COOPERATION	\$2,886,214.73
Spanish Agency for International Cooperation and Development	\$89,902.50
Norwegian Ministry of Foreign Affairs	\$529,427.63
European Commission	\$633,705.15
Swiss Agency for Development and Cooperation COSUDE	\$397,095.00
Deutsche Gesellschaft Für Internationale Zusammenarbeit (GIZ) GmbH, Ministry of Economic Cooperation and Development (BMZ)	\$1,203,523.88
Office of the Prosecutor General of Ecuador	\$13,353.61
Heinrich Böll Stiftung Foundation (Cooperation BMZ Germany)	\$5,006.96
UNESCO	\$14,200.00
TOTAL	\$8,458,288.00

²⁷² Of the funds allocated by the OAS General Assembly to the 2022 Budget, the Inter-American Court of Human Rights received US\$5,024,000 through the OAS General Secretariat, which corresponds to 100% of the amount established.

The following chart shows the distribution, by percentage, of the income received by the Inter-American Court of Human Rights during 2022:

INCOME RECEIVED Year 2022

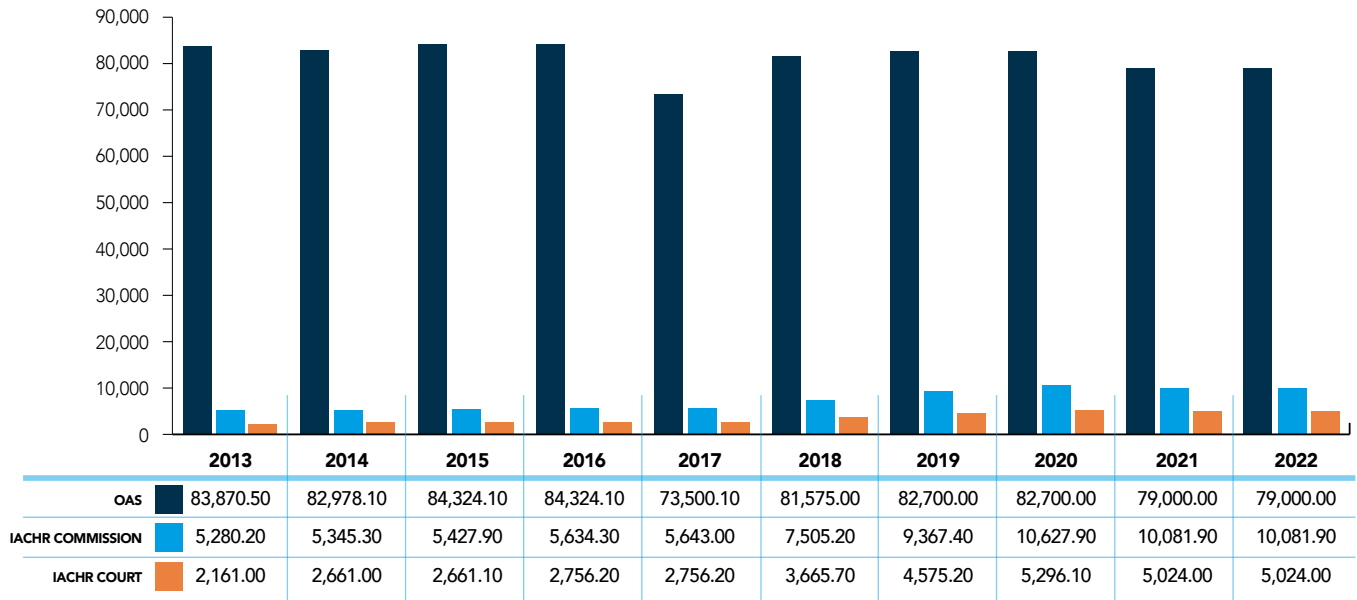


1. Income: OAS Regular Fund

During the fifty-first OAS General Assembly held in Guatemala City, Guatemala, on November 10, 11 and 12, 2021, the Program-Budget of the Organization of American States for the 2021 financial exercise was adopted by Resolution No. AG/RES. 2971 (LI-O/21), the Program-Budget of the Organization of American States for 2022. The Program-Budget allocated the sum of US\$5,024,000.00 to the Court.

The following table provides a historical comparison between the total budget of the OAS and the amounts allocated to the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights over the last ten years.

COMPARATIVE BUDGET ALLOCATION BY THE OAS TO THE IDH COURT 2013-2022



2. Income from voluntary contributions from OAS Member States

During 2022, the IACtHR received the following voluntary contributions from four OAS Member States amounting to US\$548,073.72, which represented 6.48% of the Court's total income:

Member States	US\$548,073.72
Republic of Costa Rica	99,155.53
United Mexican States	400,000.00
Republic of Peru	33,918.19
Republic of Chile	15,000.00

Regarding the contribution made to the Court by the Mexican State, through its Embassy in San José, Costa Rica, the deposit made on November 29, 2022, will be allocated to the period 2023.

3. Income from international cooperation projects

Income received from international cooperation for the 2021 period amounted to US\$2,886,214.73 (34.12% of the total income for the year). This sum consisted of the following contributions:

Spanish Agency for International Cooperation and Development (AECID): US\$89,902.50

In November 2020, the Court submitted to AECID, through the OAS General Secretariat, a proposal for the project: "Enhancing the protection standards of the Inter-American Court of Human Rights concerning access to justice for persons and groups in a vulnerable situation and the dissemination of the Court's activities." The proposal was approved at the end of July 2021, with a budget of US\$299,675.00 and a duration of one year, to be executed from July 28, 2021, to July 27, 2022.

Between April and September 2021, the Court received, through the OAS General Secretariat, the sum of US\$209,772.50, corresponding to 70% of the project total, as a first instalment to initiate activities.

The Court received the final payment for the project of US\$89,902.50 on September 16, 2022.

Norwegian Ministry of Foreign Affairs: US\$529,427.63

In September 2020, the Norwegian Ministry of Foreign Affairs and the IACtHR signed a project on "Enhancing the jurisdictional and communication capacities of the Inter-American Court of Human Rights, 2020–2024" with funding of up to NOK 20,000,000.00, equal to approximately US\$1,995,740.00, for four years from July 2020 to June 2024. An initial contribution to this project of US\$266,050.67 was received in September 2020.

During 2021, the Court received deposits for NOK 991,136.00 (US\$116,736.08) and NOK 4,008,864, (US\$485,652.12), on April 9 and June 10, respectively.

In 2022, it received NOK 5,000,000 divided into two deposits, the first on April 20 for US\$156,613.85 (NOK 1,372,000) and the second for US\$372,813.78 (NOK 3,628,000), on August 8.

European Commission: US\$633,705.15

The European Commission and the Inter-American Court of Human Rights signed an agreement to implement the project: "Improving the capability of the Inter American Court of Human Rights to administer prompt international justice to victims of human rights violations, especially those belonging to vulnerable and traditionally discriminated groups, and to disseminate its Case Law and work in a user-friendly manner that facilitates its observance and use among national actors," with funding of 750,000.00 euros for project execution over 24 months starting in May 2019.

In May 2019, the Inter-American Court of Human Rights received the first contribution to the project of 392,658.40 euros, and the sum deposited in dollars was US\$432,472.61.

In August 2020, a second instalment of US\$197,321.17 was received, equivalent to 168,505.57 euros.

Owing to the impact of the Covid-19 pandemic, at the end of March 2021, the Court presented a request for an addendum to the European Commission in order to reallocate some activities that had been

reformulated and to extend the term of the project, from 36 to 39 months. The request was approved in a note of April 23, 2021, and the project was extended until August 1, 2022. The Court did not find it necessary to request the European Commission to make disbursements in 2021 because, with the disbursements received in 2020, it was able to continue activities in 2021 that, as mentioned, had been affected by the pandemic.

On May 2, 2021, the Court issued the technical and financial progress reports and these were approved by the Commission.

The third instalment of the project for US\$117,831.57, equivalent to 113,836.03 euros, was received in June 2022.

The final narrative and financial reports on the project were presented on November 1, as stipulated in the original agreement. The audit reports were issued on December 1 and sent together with the final disbursement request on January 12, 2023. The IACtHR is awaiting the Commission's final approval and liquidation of the project.

The project: "Improvement of the capacities of the Inter American Court of Human Rights, Phase II", was signed by the European Commission on October 13, and by the Inter-American Court of Human Rights on October 31, 2022, with funding of 1,000,000.00 euros over 24 months, starting on October 31, 2022.

The initial instalment of the project was received in November 2022, for 507,396 euros, equivalent to US\$515,873.58.

Deutsche Gesellschaft Für Internationale Zusammenarbeit (GIZ) under the Program on Regional International Law and Access to Justice in Latin America II (Dirajus III), financed by the Federal Ministry of Economic Cooperation and Development (BMZ): US\$1,203,523.88

Under the DIRAJus agreement, on December 16, 2021, the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, and the IACtHR signed a special agreement for the Project: "Enhancing sustainable Inter-American E-Justice for Human Rights," to be executed from December 27, 2021, to October 31, 2022, with an approved funding of 1,000,000.00 euros.

The first disbursement for US\$1,023,963.08, equivalent to 914,575 euros, was received in January 2022.

The Court asked the agency to amend the initial funding plan for the project, owing to the savings made in the execution of activities. The request was approved on October 17, 2022, and included an extension of the project termination date, extending this to February 28, 2023.

In November, a second disbursement of US\$67,232.84 was received, corresponding to 65,818 euros.

At the request of the Federal Ministry of Economic Cooperation and Development (BMZ) of the Federal Republic of Germany, the German cooperation agency, Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) has been providing support to the IACtHR since 2013, when the first memorandum of understanding was signed. On November 15, 2017, the two institutions signed a second memorandum of understanding on joint undertakings under the program "Regional international law and access to justice in Latin America (DIRAJus II)." The purpose of this agreement is "to continue supporting the strengthening of access to justice." GIZ agreed to provide the Court with 250,000.00 euros, to be contributed under specific contracts between 2017 and 2020.

On June 29, 2020, the two institutions signed a third “Memorandum of understanding on joint undertakings” under the program “Regional international law and access to justice in Latin America (DIRAJus II).” The purpose of this agreement is “to continue supporting the strengthening of Inter-American justice and regional jurisprudential dialogue with a specific focus on the ESCER and access to justice.” GIZ agreed to provide the Court with US\$160,000, under specific contracts during 2020, 2021 and 2022.

Under the said third memorandum of understanding, and on January 28, 2021, a funding contract was signed by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH and the IACtHR in order to reinforce and disseminate the Court’s work by preparation and updating of its Case Law Bulletins. The contract was executed for the sum of US\$26,500.00. The contract ran from February 15, 2021, to January 31, 2022, and all scheduled activities were executed.

The Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH and the IACtHR signed a second and third funding agreement in July 2022, in order to reinforce the work of the Court and its dissemination by holding a session in Brazil in August, and another in Uruguay in October. The agreement for the session in Brazil was executed for the sum of US\$24,883.56 and that of Uruguay for the sum of US\$67,444.40.

According to the agreements, the activities were to be carried out between July 11 and November 15 and 30, 2022, respectively.

Swiss Agency for Development and Cooperation COSUDE: US\$397,095.00

Under the Program “Strengthening governance and Human Rights with emphasis on vulnerable populations in the countries of Central America,” a second memorandum of understanding was signed in October 2019 for collaboration between the two institutions under the program “Strengthening the protection of human rights and the Rule of Law through jurisprudential dialogue, optimization of capacities, and compliance with the Judgments of the Inter-American Court of Human Rights in El Salvador, Guatemala, Honduras and Nicaragua.”

The Swiss Agency for Development and Cooperation (COSUDE) undertook to make a contribution of US\$750,000.00 to the Court, to be distributed over the years 2019-2022. In November 2019, the Court received US\$150,000.00 corresponding to the first disbursement for the activities during the first year from October 2019 to September 2020. In September 2020, the Court received the second disbursement of US\$250,000.00, as set out in the memorandum of understanding.

On April 20, 2021, the Court submitted an addendum on the budget reallocation for the project activities, which were reformulated owing to the Covid-19 pandemic and its prolongation. This addendum was approved by the Head of International Cooperation of COSUDE in a note dated May 19, 2021.

The Court received the third disbursement for the project, for US\$250,000, on December 14, 2021.

The final narrative and financial reports on the project that terminated on September 30, 2022, were submitted to the agency at the end of October. The Court received the final disbursement for the sum of US\$97,095 in November.

Also under the Program “Strengthening governance and Human Rights with emphasis on vulnerable populations in the countries of Central America,” in October 2022, a third memorandum of understanding was signed for collaboration between the two institutions on: “Strengthening the

protection of Human Rights and the Rule of Law through jurisprudential dialogue, optimization of capacities, and compliance with the Judgments of the Inter-American Court of Human Rights in El Salvador, Guatemala, Honduras and Nicaragua, Phase III.” This project started on October 1, 2022, with a duration of 18 months, and funding of US\$700,000.

The first disbursement for Phase III of the project, for US\$300,000, was received in October.

Swedish International Development Cooperation Agency (SIDA):

In November 2020, Sweden’s Government Agency for Development Cooperation (SIDA), represented by the Swedish Embassy in Guatemala, and the Inter-American Court of Human Rights signed an agreement on “Institutional strengthening of the Inter-American Court of Human Rights to optimize its capacities,” with funding of up to SEK 5,000,000.00, equivalent to approximately US\$500,000.00 at the exchange rate in force at that time, to be used over the project execution period from December 1, 2020, to December 31, 2021. The purpose of the project was to contribute to the protection of human rights in the region by institutional reinforcement of the Inter-American Court of Human Rights.

In December 2020, the Court received a contribution towards the project of US\$589,368.96. The reason for this increase in the budget was the fluctuation in the exchange rate between the Swedish krona and the United States dollar amounting to US\$89,368.96. Subsequently, the agency approved the use of the surplus obtained due to this difference in the exchange rate for project activities.

On July 9, 2021, Sweden’s Government Agency for Development Cooperation and the IACtHR signed Amendment No. 1 to the Agreement providing SEK 3,180,000.00 in additional funding to the project. As a result of this amendment, the Court received US\$370,036.36 on September 2, 2021.

The two parties signed a second amendment to the Agreement on November 8, 2021, to extend its closing date from December 31, 2021, to December 31, 2022, and also to provide additional funds, for a total of up to SEK 16,180,000.00 for the project.

The first disbursement under Amendment No. 2, of SEK 8,000,000.00, was accredited to the Court on December 3, 2021, and represented US\$902,542.35.

Prior to the deadline of March 31, 2023, the IACtHR will be presenting the final narrative and financial reports to the agency; the audit reports will be forwarded by April 30 at the latest, as stipulated in the agreement between the two institutions.

Heinrich Böll Stiftung Foundation: US\$5,006.96

As indicated in the 2021 Annual Report, the project entitled “Basic course on the Case Law of the IACtHR on women’s Human Rights in Central America,” with a budget of US\$21,500.00, was implemented from July to November that year. Following the completion of the project, the respective narrative and financial reports were presented, and were approved at the start of 2022. Therefore, the liquidation and the disbursement of the remaining balance of US\$5,006.96 were made on March 4, 2022.

United Nations Educational, Scientific and Cultural Organization (UNESCO): US\$14,200.00

The United Nations Educational, Scientific and Cultural Organization (UNESCO), with offices in Uruguay, and the Inter-American Court of Human Rights, through its Secretariat, signed the contract No. 4500448811, DIALOGA Network: Local Meeting and Training Course for Journalists in the Inter-American System of Human Rights, on November 17, 2021. The project seeks to train and provide advice to journalists, within the framework of the Inter-American Human Rights system (IAHRS), and to provide a networking space for the IAHRS and the journalists of the hemisphere. The contract was signed for one year as of the date of signature and for a contribution of US\$24,200.00.

The Court received the first disbursement of US\$10,000.00 on December 16, 2021, in keeping with the conditions of the contract. A second disbursement of US\$9,000 was received in October 2022.

At the close of the project, on November 30, 2022, the respective narrative and financial reports were presented, and approved. The final payment of US\$5,200 was received in mid-December.

Office of the Prosecutor General of Ecuador: US\$13,353.61

As reported in the 2021 Annual Report, the Office of the Prosecutor General of the Republic of Ecuador and the Inter-American Court of Human Rights signed a contract for training on Inter-American standards in relation to social protest and control of public order with a budget of US\$19,076.59, and a 60-day execution period that year. The final disbursement of the remaining balance, corresponding to 70% of the funds, was made on February 18, 2022, for US\$13,353.61.

B. Technical cooperation

The German Federal Ministry of Economic Cooperation and Development (BMZ) of the German Federal Republic, through the German cooperation agency Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) continued to implement the DIRAJus Project, which includes the work of a German lawyer who conducts research on access to justice and is developing a valuable tool known as the *Digesto*, which is described in section XVI of this report.

The Latin American youth incubator course (*Semillero Latinoamericano*) described in section XII of this report was held with the technical cooperation of the Konrad Adenauer Foundation.

The Max Planck Institute for Comparative Public Law and International Law provided cooperation to the Court by funding two one-month research grants for doctoral students on issues of special relevance for the work of monitoring compliance with Judgment.

A lawyer with a grant from the University of Notre Dame incorporated a working group of the Court's legal area for one year starting of August 8, 2022. The University of Notre Dame, through the Notre Dame Reparations Design and Compliance Lab, provided technical collaboration with research on compliance with the reparations ordered by the Court. It also prepared several reports on issues such as the impact of the hearings on monitoring compliance with Judgment, and kept updated a database on compliance with measures of reparation created in 2021.

C. Regular Fund Budget approved for 2023

During the fifty-second OAS General Assembly held in Lima, Peru, from October 5 to 7, 2021, the OAS adopted the 2023 budget of the Inter-American Court of Human Rights amounting to US\$5,024,000.00.²⁷³ However, it should be pointed out that this sum does not correspond to twice the budget adopted in Cancún in 2017, as decided by the OAS General Assembly in 2017.

In this regard, it should be recalled that, during the General Assembly, held in Cancun, Mexico, in June 2017, the States decided, by Resolution AG/RES. 2908 (XLVII-O/17),²⁷⁴ that the budget granted to the Inter-American Court of Human Rights should be doubled over a three-year period. In other words, by 2022, the amount allocated by the OAS should have risen to US\$5,512,400.00.

D. Audit of the financial statements

During 2023, an external audit was conducted of the financial statements Secretariat of the Inter-American Court for the 2022 fiscal year. It covered all the funds administered by the Court, including the funds from the OAS, the contribution of the Costa Rican Government, the funds from international cooperation, the Victims' Legal Assistance Fund, and also the contributions from other States, universities and other international agencies. The audit report corresponding to the 2022 fiscal year will be issued in March 2023.

In addition, each international cooperation project is subject to an independent Audit to ensure the most effective use of these resources, and each report is submitted to the corresponding cooperation agency in keeping with the contract signed for each project.

273 Organization of American States. General Assembly (2021). Declarations and resolutions (Regular Session). Program-budget of the Organization for 2020" (adopted at the plenary session held on November 11, 2021) AG/RES. 2971 (LI-O/21). Found at: <https://www.oas.org/es/council/AG/ResDec/> <http://www.oas.org/es/50ag/>

274 The General Assembly resolved "To request the Committee on Administrative and Budgetary Affairs, considering the existing resources, to double the amount of Regular Fund resources earmarked for the organs of the Inter-American human rights system: the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights, over a three-year period." Promotion and protection of human rights, A/RES.2908 (XLVII-O-17) Item XVI. "Financing of the organs of the Inter-American human rights system out of the program-budget of the Organization for 2018."



Mechanisms to promote access to Inter-American justice:

Victims' Legal Assistance Fund (FAV) and
InterAmerican Defender (DI)

X. Mechanisms to promote access to Inter-American justice: Victims' Legal Assistance Fund (FALV) and Inter-American Defender (DI)

In 2010, the Court incorporated into its Rules of Procedure two new mechanisms designed to enable victims to access Inter-American justice, and to ensure that those who lack sufficient financial resources or who do not have a legal representative are not excluded from access to the Inter-American Court. These mechanisms are: the Victims' Legal Assistance Fund (FALV) and the Inter-American Defender (DI).

A. Victims' Legal Assistance Fund (FALV)

1. Procedure

The Court's Rules for the Operation of the Victims' Legal Assistance Fund (hereinafter, "the Fund") were issued on February 4, 2010, and entered into force on June 1 that year. The purpose of the Fund is to facilitate access to the Inter-American Human Rights system to those persons who, at the present time, do not have the necessary resources to bring their case before the Court.

When a case has been submitted to the Court, any victim who does not have the necessary financial resources to cover the costs arising from the proceedings may expressly request access to the Fund. According to the Rules, the presumed victims who wish to avail themselves of the Fund must inform the Court in their brief with pleadings, motions and evidence. In addition, they must authenticate, by means of a sworn declaration or other appropriate means of proof satisfactory to the Court, that they lack sufficient financial resources to cover the costs of litigation before the Court and indicate precisely which aspects of their participation require the use of resources from the Fund. The President is responsible for evaluating each application to determine whether or not it is admissible, and will indicate the aspects of the participation that can be covered by the Victims' Legal Assistance Fund.

The Court's Secretariat is in charge of administering the Fund. When the President has determined that the request is admissible and this decision has been notified, the Court's Secretariat opens a file of expenditures for each specific case, in which it records each disbursement made in accordance with the parameters authorized by the President. Subsequently, the Court's Secretariat informs the respondent State of the disbursements made from the Fund, so that it may submit any observations it wishes within the time frame established to this effect. As indicated above, when delivering judgment, the Court will assess the admissibility of ordering the respondent State to reimburse the Fund any disbursements made and will indicate the amount owed.

2. Donations to the Fund

It should be emphasized that this Fund does not receive resources from the regular budget of the OAS. This has led the Court to seek voluntary contributions to ensure its existence and operation. To date, the funds have come from several cooperation projects and from voluntary contributions from States.

Initially, the funds only came from a cooperation project signed with Norway for the period 2010-2012, which provided US\$210,000.00, and from the donation of US\$25,000.00 to the Fund by Colombia. During 2012, based on new cooperation agreements signed with Norway and Denmark, the Court obtained commitments for additional funding for 2013 to 2015 of US\$65,518.32 and US\$55,072.46, respectively.

In 2016, the Court received US\$15,000.00 from Norway, in 2017, US\$24,616.07, in 2018, US\$24,764.92 and finally, for execution of the 2019 budget a contribution of US\$24,539.80. No contributions were made in 2020; however, in 2021, a contribution of US\$8,117.95 was made to the Fund and, in 2022, the contribution amounted to US\$42,983.24.

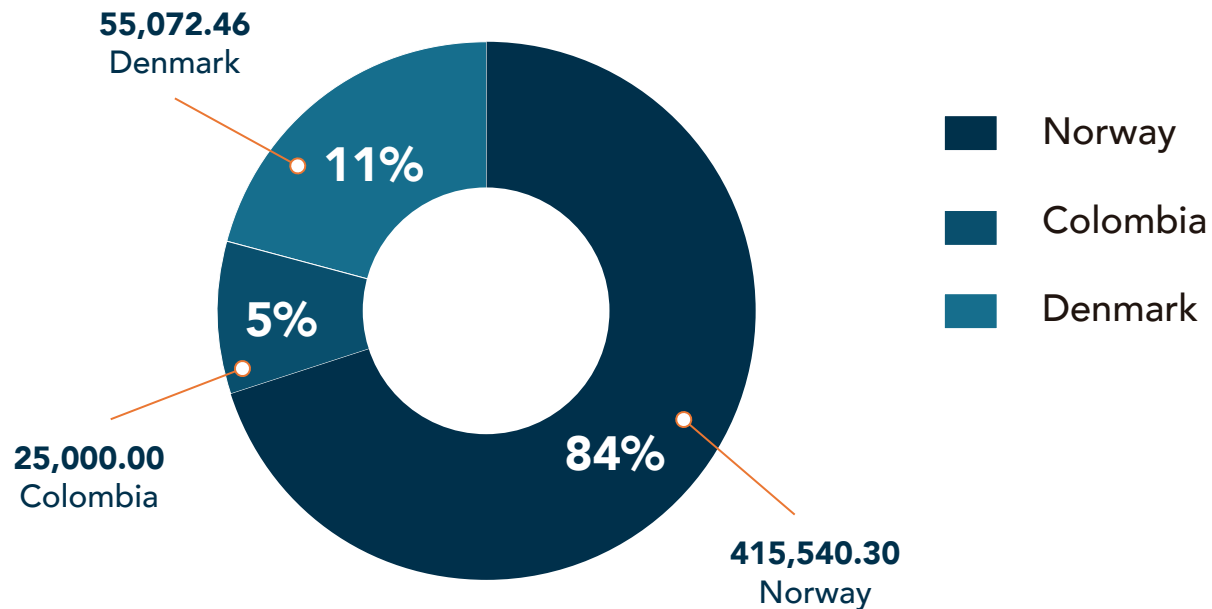
Based on the foregoing, at December 2022, total contributions to the fund amounted to US\$495,612.76.

The list of donor countries to date is as follows:

CONTRIBUTIONS TO THE FUND		
State	Year	Contributions in US\$
Norway	2010-2012	210,000.00
Colombia	2012	25,000.00
Norway	2013	30,363.94
Denmark	2013	5,661.75
Norway	2014	19,621.88
Denmark	2014	30,571.74
Norway	2015	15,532.50
Denmark	2015	18,838.97
Norway	2016	15,000.00
Norway	2017	24,616.07
Norway	2018	24,764.92
Norway	2019	24,539.80
Norway	2021	8,117.95
Norway	2022	42,983.24
SUB TOTAL		US\$495,612.76

Contributions to FALV as of December 31, 2022

Total amount: US\$495,612.76



3. Application of the Victims' Legal Assistance Fund

3.1 Expenses approved in 2022

In 2022, the President of the Inter-American Court of Human Rights issued orders approving access to the Victims' Legal Assistance Fund in the following cases:

CASE	DATE OF APPROVAL	CONCEPT
Bendezú Tuncar v. Peru	March 8, 2022	To cover the reasonably and necessary costs incurred by the defense.
Rama and Kriol Peoples v. Nicaragua	July 8, 2020	To cover necessary travel and per diem expenses for the statements of Rupert Allen Clair Duncan and Becky Jefferraine Mccray Urbina, proposed by the representatives, to be provided in person at the public hearing.
González Méndez v. Mexico	September 2, 2022	To cover the costs of a maximum of three oral or written statements.
Dial et al. v. Trinidad and Tobago	March 29, 2022	To cover the costs of the presentation of a maximum of three statements, either at the eventual hearing or by <i>affidavit</i> .
Bissoon et. al. v. Trinidad and Tobago	March 29, 2022	To cover the costs of the presentation of a maximum of three statements, either at the hearing or by <i>affidavit</i> .
Torres Millacura v. Argentina	September 30, 2022	To cover the reasonable and necessary travel and per diem expenses for the legal representative, victim María Millacura Llaipén and victim Fabiola Valeria and her two daughters to appear at the private hearing on monitoring compliance with Judgment.
López et al. v. Argentina	October 7, 2022	To cover the reasonable and necessary travel and per diem expenses for one of the legal representatives to appear at the hearing.

CASE	DATE OF APPROVAL	CONCEPT
Sales Pimenta v. Brazil	February 17, 2022	To cover the reasonable expenses of preparing and mailing four <i>affidavits</i> indicated by the representatives.
Álvarez v. Argentina	July 11, 2022	To cover the reasonable and necessary travel and per diem expenses for the representative to appear at the public hearing in this case, and for the reasonable expenses of preparing and mailing three <i>affidavits</i> .
Viteri et al. v. Ecuador	May 10, 2022	To cover the costs of the presentation of four statements, either at the hearing or by <i>affidavit</i> and the appearance of two legal representatives at the eventual public hearing.
Tabares Toro v. Colombia	September 16, 2022	To cover the costs of the presentation of three statements, either at the hearing or by <i>affidavit</i> .
Guzmán Medina et al. v. Colombia	November 2, 2022	To cover the cost of the presentation of five statements, either at the hearing or by <i>affidavit</i> and the appearance of two legal representatives at the eventual public hearing.
Niseen Pessolani v. Paraguay	March 7, 2022	To cover the reasonable and necessary travel and per diem expenses for Alejandro Nissen Pessolani and legal representative Jacinto Santa María Ammatuna to appear before the Court and present their arguments during the public hearing in this case, and for the presentation of a maximum of two statements, either at the hearing or by <i>affidavit</i> .

CASE	DATE OF APPROVAL	CONCEPT
Olivera Fuentes v. Peru	February 18, 2022	To cover the costs of the presentation of a maximum of three statements, either at the hearing or by <i>affidavit</i> , and the appearance of the presumed victim and a maximum of two representatives at the eventual public hearing.
La Oroya Community v. Peru	September 12, 2022	To cover the reasonable and necessary travel and per diem expenses for presumed victims María 9, María 13 and María 15, and expert witness Marisol Yañez de la Cruz to appear before the Court to provide their statements during the public hearing in this case.
María et al. v. Argentina	September 8, 2022	To cover the reasonable and necessary travel and per diem expenses for presumed victims Micaela Belén Pavón and Laura Isabel Aquino and two of their legal representatives to appear before the Court to present their arguments during the public hearing in this case, and for the presentation of a maximum of eight <i>affidavits</i> .

3.2 FALV disbursement in 2022

During 2022, the Secretariat of the Inter-American Court made payments to cover the expenses of presumed victims, expert witnesses, witnesses, and representatives, to prepare *affidavits*, and to reimburse diverse expenses in 10 cases. Details of these disbursements appear in the following table:

VICTIMS' LEGAL ASSISTANCE FUND		
DISBURSEMENTS IN 2022		
Total	Cases	Amount
VICTIMS' LEGAL ASSISTANCE FUND		
1	Flores Bedregal et al. v. Bolivia	5,721.79
2	Nissen Pessolani v. Paraguay	5,269.12
3	Valencia Campos et al. v. Bolivia	6,264.80
4	Tzompaxtle Tecpile et al. v. Mexico	4,372.75
5	Cortez Espinoza v. Ecuador	80.46
6	Olivera Fuentes v. Peru	5,560.08
7	Torres Millacura v. Argentina (Hearing on monitoring compliance with Judgment)	6,094.88
8	La Oroya Community v. Peru	7,773.96
9	María et al. v. Argentina	717.00
10	López et al. v. Argentina (A Hearing on monitoring compliance with Judgment)	1,128.40
TOTAL		42,983.24
FINANCIAL EXPENSES		
	Financial expenses (Audit and exchange difference)	1,065.88
TOTAL		1,065.88
TOTAL DISBURSEMENTS IN 2022		US\$44,049.12

3.3 Expenses approved and respective reimbursements from 2010 to 2022

Between 2010 and the end of 2022, access to the Victims' Legal Assistance Fund of the Court has been granted in 110 cases. As established in the Rules of Operation, States are bound to reimburse the Fund's resources that are used in a case when the Court establishes this in the Judgment or pertinent order. The Fund's movements in these 110 cases are described in the following tables:

- In 80 cases, the respective States have reimbursed the Fund.
- In 2 cases the Court did not order the State to reimburse the Fund, because it was not found internationally responsible in the Judgment.
- In 28 cases reimbursement of the Fund remains pending. However, in 4 of these 28 cases, the Judgment or order requiring the State to make the reimbursement has not yet been issued.

VICTIMS' LEGAL ASSISTANCE FUND					
REIMBURSEMENTS MADE TO THE FUND, ACCUMULATED TO DECEMBER 2022					
Total	Case	State	Reimbursement in dollars)	Interest (in dollars)	Exchange difference (in dollars)
1	Torres et al. v. Argentina	Argentina	10,043.02	4,286.03	0.00
2	Fornerón and daughter v. Argentina	Argentina	9,046.35	3,075.46	0.00
3	Mohamed v. Argentina	Argentina	7,539.42	1,998.30	0.00
4	Furlán and family v. Argentina	Argentina	13,547.87	4,213.83	0.00
5	Mendoza et al. v. Argentina	Argentina	3,393.58	967.92	0.00
6	Argüelles et al. v. Argentina	Argentina	7,244.95	4,170.64	0.00
7	Torres Millacura et al. v. Argentina (Hearing on monitoring compliance)	Argentina	7,969.08	0.00	0.00
8	López et al. v. Argentina	Argentina	3,277.62	2,567.73	0.00
9	Furlán and family v. Argentina (Hearing on monitoring compliance)	Argentina	4,025.58	346.02	0.00

10	Jenkins v. Argentina	Argentina	6,174.66	2,355.06	0.00
11	Acosta Martínez et al. v. Argentina	Argentina	2,718.75	482.17	0.00
12	Spoltore v. Argentina	Argentina	4,340.58	994.02	0.00
13	Fernández Prieto and Tumbeiro v. Argentina	Argentina	3,251.84	645.46	0.00
14	DaCosta Cadogan v. Barbados	Barbados	1,947.60	0.00	0.00
15	Pacheco Tineo family v. Bolivia	Bolivia	9,564.63	0.00	0.00
16	I.V. v. Bolivia	Bolivia	1,623.21	0.00	0.00
17	Favela Nova Brasília v. Brazil	Brazil	7,367.51	156.29	0.00
18	Herzog et al. v. Brazil	Brazil	4,243.95	0.00	554.89

VICTIMS' LEGAL ASSISTANCE FUND

REIMBURSEMENTS MADE TO THE FUND, ACCUMULATED TO DECEMBER 2022

	Case	State	Reimburse-ment in dollars)	Interest (in dollars)	Exchange difference (in dollars)
19	Barbosa de Souza et al. v. Brazil	Brazil	1,552.20	0.00	0.00
20	Norín Catrimán et al. v. Chile	Chile	7,652.88	0.00	0.00
21	Poblete Vilches et al. v. Chile	Chile	10,939.93	0.00	0.00
22	Ángel Alberto Duque v. Colombia	Colombia	2,509.34	1,432.96	0.00
23	Isaza Uribe et al. v. Colombia	Colombia	1,172.70	0.00	0.00

24	Villamizar Durán et al. v. Colombia	Colombia	6,404.37	0.00	0.00
25	Vereda La Esperanza v. Colombia	Colombia	2,892.94	0.00	0.00
26	Yarce et al. v. Colombia	Colombia	4,841.06	4,099.64	0.00
27	Bedoya Lima et al. v. Colombia	Colombia	104.88	0.00	0.00
28	Amrhein et al. v. Costa Rica	Costa Rica	5,856.91	0.00	0.00
29	Kichwa Indigenous People of Sarayaku v. Ecuador	Ecuador	6,344.62	0.00	0.00
30	Suárez Peralta v. Ecuador	Ecuador	1,436.00	0.00	0.00
31	Vásquez Durand v. Ecuador	Ecuador	1,657.35	449.59	0.00
32	Montesinos Mejía v. Ecuador	Ecuador	159.00	0.00	0.00
33	Flor Freire v. Ecuador	Ecuador	4,771.25	412.08	0.00
34	Gonzales Lluy et al. v. Ecuador	Ecuador	4,632.54	2,872.20	0.00
35	Contreras et al. v. El Salvador	El Salvador	4,131.51	0.00	0.00
36	Massacres of El Mozote and neighboring places v. El Salvador	El Salvador	6,034.36	0.00	0.00
37	Rochac Hernández et al. v. El Salvador	El Salvador	4,134.29	0.00	0.00
38	Ruano Torres et al. v. El Salvador	El Salvador	4,555.62	0.00	0.00
39	Véliz Franco et al. v. Guatemala	Guatemala	2,117.99	0.00	0.00
40	Chinchilla Sandoval et al. v. Guatemala	Guatemala	993.35	0.00	0.00
41	Ramírez Escobar et al. v. Guatemala	Guatemala	2,082.79	0.00	0.00

42	Cuscul Pivaral et al. v. Guatemala	Guatemala	2,159.36	0.00	0.00
43	Villaseñor Velarde et al. v. Guatemala	Guatemala	4,671.10	0.00	0.00
44	Martínez Coronado v. Guatemala	Guatemala	280.00	0.00	0.00
45	Ruíz Fuentes v. Guatemala	Guatemala	1,943.20	0.00	0.00
46	Valenzuela Ávila v. Guatemala	Guatemala	1,620.53	0.00	0.00
47	Rodríguez Revolorio et al. v. Guatemala	Guatemala	1,943.20	0.00	0.00

VICTIMS' LEGAL ASSISTANCE FUND

REIMBURSEMENTS MADE TO THE FUND, ACCUMULATED TO DECEMBER 2022

	Case	State	Reimburse-ment in dollars)	Interest (in dollars)	Exchange difference (in dollars)
48	Girón et al. v. Guatemala	Guatemala	1,239.54	0.00	0.00
49	Triunfo de la Cruz Garifuna Community and its members v. Honduras	Honduras	1,662.97	0.00	0.00
50	Punta Piedra Garifuna Community and its members v. Honduras	Honduras	8,528.06	0.00	0.00
51	Alvarado Espinoza et al. v. Mexico	Mexico	5,444.40	182.32	0.00
52	Women Victims of Sexual Violence in Atenco v. Mexico	Mexico	4,199.09	0.00	0.00
53	Digna Ochoa and family members v. Mexico	Mexico	698.15	0.00	12.67
54	V.R.P. and V.P.C. et al. v. Nicaragua	Nicaragua	13,835.51	0.00	0.00

55	Kuna Indigenous Peoples of Madungandí and Emberá of Bayano and their members v. Panamá	Panamá	4,670.21	0.00	0.00
56	Osorio Rivera and family members v. Peru	Peru	3,306.86	0.00	0.00
57	J. v. Peru	Peru	3,683.52	0.00	0.00
58	Miguel Castro Castro Prison v. Peru	Peru	2,756.29	0.00	0.00
59	Espinoza Gonzáles v. Peru	Peru	1,972.59	0.00	0.00
60	Cruz Sánchez et al. v. Peru	Peru	1,685.36	0.00	0.00
61	Campesina Community of Santa Bárbara v. Peru	Peru	3,457.40	0.00	0.00
62	Canales Huapaya et al. v. Peru	Peru	15,655.09	0.00	0.00
63	Valdemir Quispialaya Vicalpoma v. Peru	Peru	1,673.00	0.00	0.00
64	Tenorio Roca et al. v. Peru	Peru	2,133.69	0.00	0.00
65	Tarazona Arrieta et al. v. Peru	Peru	2,030.89	0.00	0.00
66	Pollo Rivera et al. v. Peru	Peru	4,330.76	15.40	0.00
67	Zegarra Marín v. Peru	Peru	8,523.10	0.06	0.00
68	Lagos del Campo v. Peru	Peru	1,336.71	23.70	0.00
69	Dismissed Workers of Petroperu et al. v. Peru	Peru	3,762.54	18.01	0.00
70	Terrones Silva et al. v. Peru	Peru	5,095.99	0.12	0.00
71	Munárriz Escobar et al. v. Peru	Peru	1,100.76	0.72	0.00

72	Muelle Flores v. Peru	Peru	2,334.04	0.00	0.00
73	Azul Rojas Marín et al. v. Peru	Peru	869.23	0.00	0.00
74	Rosadio Villavicencio v. Peru	Peru	2,269.24	0.00	0.00
75	Casa Nina v. Peru	Peru	687.46	0.00	0.00
76	Guachalá Chimbo et al. v. Peru	Peru	43.74	0.00	0.00

VICTIMS' LEGAL ASSISTANCE FUND

REIMBURSEMENTS MADE TO THE FUND, ACCUMULATED TO DECEMBER 2022

	Case	State	Reimburse-ment in dollars)	Interest in dollars)	Exchange difference (in dollars)
	Interest paid by the State of Peru	Peru	0.00	197.66	0.00
77	Barrios Family v. Venezuela	Venezuela	3,232.16	0.00	0.00
78	Néstor José and Luis Uzcátegui et al. v. Venezuela	Venezuela	4,833.12	0.00	0.00
79	Landaeta Mejías Brothers et al. v. Venezuela	Venezuela	2,725.17	0.00	0.00
80	Barrios Family v. Venezuela (Hearing on monitoring compliance)	Venezuela	1,326.33	0.00	0.00
		SUBTOTAL	\$328,018.44	\$35,963.39	\$567.56
	TOTAL RECOVERED (DISBURSEMENTS, INTEREST AND EXCHANGE DIFFERENCE)				\$364,549.39

The following table provides details of 28 cases in which reimbursement of the Fund by the State remains pending:

VICTIMS' LEGAL ASSISTANCE FUND

DISBURSEMENTS, BY CASE, PENDING REIMBURSEMENT BY THE STATE AT DECEMBER 31, 2022

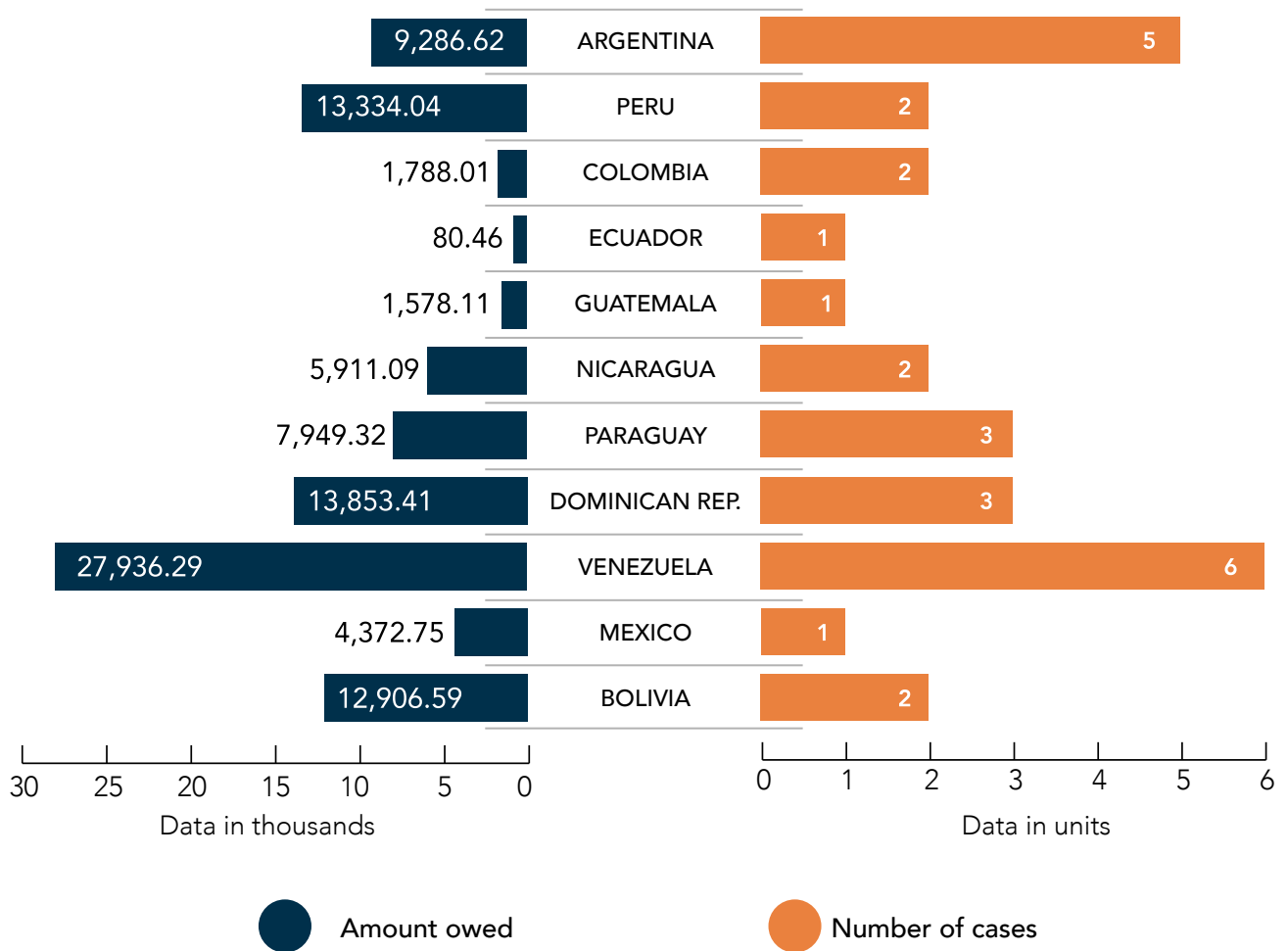
Total	Number by State	Case	Amount	Date on which payment was ordered
ARGENTINA				
1	1	Gorigoitía v. Argentina	987.36	September 2, 2019
2	2	Julien Grisonas et al. v. Argentina	358.98	September 23, 2021
3	3	Torres Millacura et al. v. Argentina (Hearing on monitoring compliance)	6,094.88	The order for reimbursement has not been issued
4	4	María et al. v. Argentina	717.00	The Judgment has not yet been delivered in this case.
5	5	López et al. v. Argentina (Hearing on monitoring compliance)	1,128.40	The order for reimbursement has not been issued
TOTAL			9,286.62	
BOLIVIA				
6	1	*Flores Bedregal et al. v. Bolivia	6,641.79	October 17, 2022
7	2	*Valencia Campos et al. v. Bolivia	6,264.80	October 18, 2022
TOTAL			12,906.59	
COLOMBIA				
8	1	Matter of the Peace Community of San José de Apartadó with regard to Colombia	1,116.46	The order for reimbursement has not been issued
9	2	*Members and Activists of the Patriotic Union v. Colombia	671.55	July 27, 2022
TOTAL			1,788.01	

ECUADOR				
10	1	*Cortez Espinoza v. Ecuador	80.46	October 18, 2022
TOTAL			80.46	
GUATEMALA				
11	1	Massacres of the village of Los Josefinos v. Guatemala	1,578.11	November 3, 2021
TOTAL			1,578.11	
MEXICO				
12	1	*Tzompaxtle Tecpile et al. v. Mexico	4,372.75	November 7, 2022
TOTAL			4,372.75	
NICARAGUA				
13	1	Acosta et al. v. Nicaragua	2,722.99	March 25, 2017
14	2	Roche Azaña et al. v. Nicaragua	3,188.10	June 3, 2020
TOTAL			5,911.09	
PARAGUAY				
15	1	Noguera et al. v. Paraguay	1,994.88	March 9, 2020
16	2	Ríos Ávalos et al. v. Paraguay	685.32	August 19, 2021
17	3	*Nissen Pessolani v. Paraguay	5,269.12	November 21, 2022
TOTAL			7,949.32	

PERU				
18	1	Olivera Fuentes v. Peru	5,560.08	The Judgment has not yet been delivered in this case
19	2	La Oroya Community v. Peru	7,773.96	The Judgment has not yet been delivered in this case
TOTAL			13,334.04	
DOMINICAN REPUBLIC				
20	1	González Medina and family members v. Dominican Republic	2,219.48	February 27, 2012
21	2	Nadege Dorzema et al. v. Dominican Republic	5,972.21	October 24, 2012
22	3	Tide Méndez et al. v. Dominican Republic	5,661.75	August 28, 2014
TOTAL			13,853.44	
VENEZUELA				
23	1	Ortiz Hernández et al. v. Venezuela	11,604.03	August 22, 2017
24	2	López Soto et al. v. Venezuela	7,310.33	September 26, 2018
25	3	Álvarez Ramos v. Venezuela	4,805.40	August 30, 2019
26	4	Díaz Loreto et al. v. Venezuela	3,476.97	November 19, 2019
27	5	Guerrero Molina et al. v. Venezuela	64.56	June 3, 2021
28	6	González et al. v. Venezuela	675.00	September 20, 2021
TOTAL			27,936.29	
TOTAL AMOUNT			US\$98,996.72	

* Corresponds to cases that are still within the time frame granted to each country in the respective Judgment.

BALANCES PENDING REIMBURSEMENT TO THE VICTIMS' FUND US DOLLARS AS OF DECEMBER 31, 2022



Finally, the following table provides details of the disbursements that States are not obliged to reimburse to the Fund according to the respective Judgments delivered by the Court:

VICTIMS' LEGAL ASSISTANCE FUND

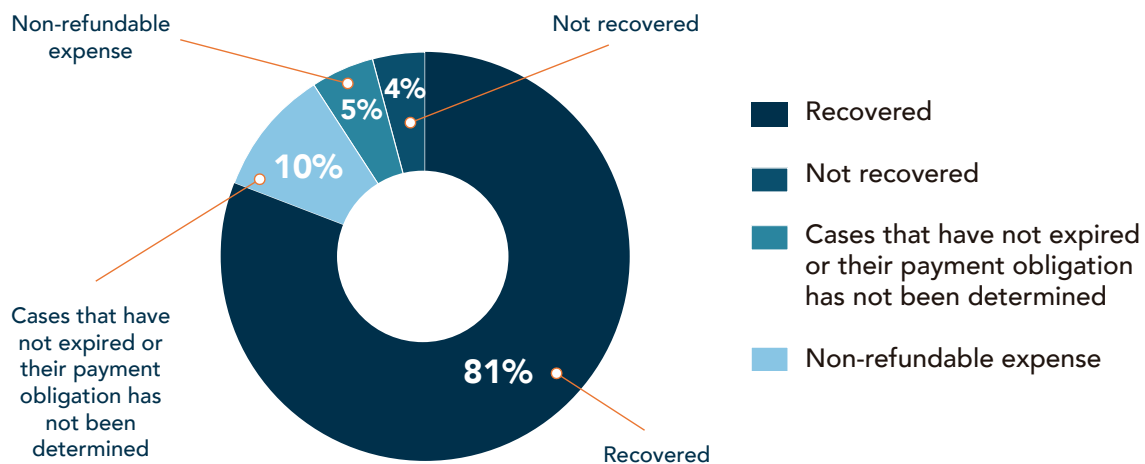
DISBURSEMENTS THAT DO NOT HAVE TO BE REIMBURSED TO THE FUND

No.	Case	Reimbursement (in dollars)	Description
1	Torres et al. v. Argentina	2,214.03	Item that does not have to be reimbursed
2	Castillo González et al. v. Venezuela	2,956.95	Case not obliged to make reimbursement
3	Miguel Castro Castro Prison v. Peru	1,445.15	Item that does not have to be reimbursed
4	Arrom Suhurt et al. v. Paraguay	1,360.25	Case not obliged to make reimbursement
TOTAL US\$7,976.38			

The following table below presents the current situation of the Victims' Legal Assistance Fund, as revealed by the preceding tables, according to their headings, namely: Reimbursements made to the Fund accumulated at December 31, 2022; Disbursements, by case, pending reimbursement by each State at December 31, 2022, and Disbursements where the State is not required to reimburse the Fund.

Current status of the FALV as of December 31, 2022

Total executed: US\$448,095.91



Additionally, the State of Ecuador has deposited S\$30,000.00 corresponding to compensation unclaimed by three victims, pursuant to paragraph 253 of the Judgment of September 1, 2016, in the Case of Herrera Espinoza et al. v. Ecuador.

Below is a table with the income and expenses statement at December 31, 2022:

Inter-American Court of Human Rights Victims' Legal Assistance Fund	
Income and expenses statement	
from January 1, 2010 to December 31, 2022 (In US\$)	
INCOME	
Contributions to the Fund:	495,612.76
Reimbursements by States:	328,018.44
Interest paid on arrears:	35,963.39
Ingresos por diferencial cambiario:	567.56
Interest on bank accounts:	4,870.01
²⁷⁵ Appropriations to the fund:	30,000.00
Total Income:	\$895,032.16
EXPENSES	
Disbursements to beneficiaries of the fund:	(426,998.14)
Non-reimbursable expenses:	(7,976.38)
Financial and administrative expenses: (Audit, banking commission and exchange differential)	(13,138.39)
Total Expenses \$	\$(448,112.91)
Positive balance: \$	\$446,919.25

3.4 Audit of accounts

The financial statements of the Victims' Legal Assistance Fund have been audited by the external auditors of the Inter-American Court, Venegas and Colegiados, Auditors and Consultants, a member of Nexia International. In this regard, the audited financial statements for the financial exercises ending in December 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020 and 2021 have been approved, indicating that, in all important aspects, they present the income and available funds in keeping with generally accepted accounting and auditing principles. The 2022 audit report remains pending and will be issued during the first quarter of 2023. The auditor's reports also state that the disbursements have been administered correctly, that no illegal activities or corruption have been discovered, and that the funds have been used exclusively to cover the expenses of the Victims' Fund operated by the Court.

B. Inter-American Public Defender

The Court's Rules of Procedure, in force since January 1, 2010, introduced the mechanism of the Inter-American Defender. The purpose of this mechanism is to guarantee access to Inter-American justice by granting free legal aid to presumed victims who did not have the financial resources or lacked legal representation before the Court.

²⁷⁵ Compensation not claimed by three victims, pursuant to paragraph 253 of the Judgment of September 01, 2016, in relation to the Case of Herrera Espinoza et al. v. Ecuador.

To implement the concept of Inter-American defender, in 2009, the Court signed a Memorandum of Understanding with the Inter-American Association of Public Defenders (hereinafter “the AIDEF”),²⁷⁶ which entered into force on January 1, 2010. Under this agreement, in those cases in which the presumed victims lack financial resources and/or legal representation before the Court, the AIDEF will appoint a public defender who belongs to the Association to assume their legal representation and defense during the entire proceedings. To this end, when a presumed victim does not have legal representation in a case and indicates his or her wish to be represented by an Inter-American defender, the Court will inform the AIDEF General Coordinator so that, within 10 days, the latter may appoint the defender who will assume the legal representation and defense. In addition, the Court will notify the documentation relating to the submission of the case to the Court to the member of the AIDEF appointed as the Inter-American public defender so that the latter may, from then on, assume the legal representation of the presumed victim before the Court throughout the processing of the case.

As mentioned above, the legal representation before the Inter-American Court by the person appointed by the AIDEF is provided free of charge, and the latter will charge only the expenses arising from the defense. The Inter-American Court of Human Rights will pay the reasonable and necessary expenses that the respective Inter-American defender incurs, insofar as possible, and through the Victims’ Legal Assistance Fund. In addition, on June 7, 2013, the AIDEF Board approved the new “Unified Rules of Procedure for the actions of the AIDEF before the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights.” To date, the AIDEF has provided legal assistance through this mechanism in 32 cases:

AIDEF cases in which it has provided legal assistance			
1	Pacheco Tineo family v. Bolivia	17	Villaseñor Velarde et al. v. Guatemala
2	Furlan and family v. Argentina	18	Muelle Flores v. Peru
3	Mohamed v. Argentina	19	Cuya Lavy v. Peru
4	Argüelles et al. v. Argentina	20	López et al. v. Argentina
5	Canales Huapaya et al. v. Peru	21	González et al. v. Venezuela
6	Ruano Torres et al. v. El Salvador	22	Cordero Bernal v. Peru
7	Pollo Rivera et al. v. Peru	23	Willer et al. v. Haiti
8	Zegarra Marín v. Peru	24	Casierra Quiñonez et al. v. Ecuador
9	Ortiz Hernández et al. v. Venezuela	25	Boleso v. Argentina
10	Poblete Vilches et al. v. Chile;	26	Cajahuanca Vásquez v. Peru.
11	V.R.P., V.P.C. et al. v. Nicaragua	27	Members of the Single Workers’ Union of Ecasa (SUTECASA) v. Peru.
12	Amrhein et al. v. Costa Rica	28	Valencia Campos v. Bolivia.
13	Jenkins v. Argentina	29	Scot Cochran v. Costa Rica
14	Girón et al. v. Guatemala	30	Hidalgo et al. v. Ecuador
15	Martínez Coronado v. Guatemala	31	Rodríguez Pacheco et al. v. Venezuela
16	Rodríguez Revolorio et al. v. Guatemala	32	Nissen Pessolani v. Paraguay

²⁷⁶ AIDEF is an organization composed of State institutions and associations of public defenders. Its objectives include providing the necessary assistance and representation to individuals and ensuring the rights of defendants in order to permit a full defense and access to justice with the appropriate quality and excellence.



Other activities of the Court

XI. Other activities of the Court

A. Inauguration of the 2022 Inter-American Judicial Year

On February 7, 2022, a ceremony was held to inaugurate the 2022 Inter-American Judicial Year, during which there was a symbolic inauguration of the new Board of the Inter-American Court composed of the President, Judge Ricardo C. Pérez Manrique (Uruguay), and the Vice President, Judge Humberto Antonio Sierra Porto (Colombia). In addition, the new Judges of the Inter-American Court for the period 2022-2027, Nancy Hernández López (Costa Rica), Verónica Gómez (Argentina), Patricia Pérez Goldberg (Chile) and Rodrigo Mudrovitsch (Brazil), were sworn in. Other participants in the ceremony included Judge Ferrer Mac-Gregor Poisot, the former president of the Inter-American Court, Elizabeth Odio Benito, the former Vice President, Patricio Pazmiño Freire, and the former Judge, Eugenio Raúl Zaffaroni.



B. Dialogue between Regional Human Rights Courts

Working meeting on monitoring compliance with the decisions of the international human rights courts and organs for the protection of human rights

On December 7, 2022, the Registrar of the Inter-American Court, Pablo Saavedra Alessandri; presentations by the African Court of Human and Peoples' Rights, the Department for the Execution of Judgments of the European Court of Human Rights, and the Petitions and Urgent Action Section of the Office of the United Nations High Commissioner for Human Rights, and an open discussion between participants.



First Trilateral Meeting between Registrars of the Regional Courts

On December 7, 2022, the Registrar of the Inter-American Court, Pablo Saavedra Alessandri, took part in the First "Trilateral meeting between Registrars of the Inter-American Court of Human Rights, the African Court of Human and Peoples' Rights and the European Court of Human Rights." The meeting was held to discuss technical aspects and also forms of cooperation between the Secretariats.



C. Dialogue with the Organization of American States (OAS)

Presentation of the 2021 Annual Report to the Commission on Legal and Political Affairs of the Permanent Council

On June 30, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, presented the 2021 Annual Report to the Committee on Juridical and Political Affairs of the OAS Permanent Council.



Presentation of the 2021 Annual Report to the OAS General Assembly

On October 7, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, presented the 2021 Annual Report of the Inter-American Court of Human Rights to the fifty-second General Assembly of the OAS, held in Lima, Peru.





Forum of the Inter-American System of Human Rights

On December 5 and 6, 2022, the Inter-American Commission and the Inter-American Court organized the fifth Forum of the Inter-American System of Human Rights on “Democracy, Rule of Law and Human Rights in the Americas.” The President of the Inter-American Commission, Julissa Mantilla Falcón, the President of the Inter-American Court, Judge Ricardo C. Pérez Manrique, and the United Nations High Commissioner for Human Rights, Volker Turk, took part in the inaugural Session.

Panel I, entitled “The challenges to judicial independence in current democracies,” consisted of Commissioner Carlos Bernal, in person, and, virtually, Judge Eduardo Ferrer Mac-Gregor; the former United Nations Special Rapporteur on the independence of Judges and lawyers and former President of the IACtHR, Diego García-Sayán, and the former United Nations Special Rapporteur on the independence of Judges and lawyers, Gabriela Knaul. The panel was moderated by Judge Patricia Pérez Goldberg, in person.

Panel II was entitled “Diversity and representation in access to public office,” and presentations were made by Commissioner Roberta Clarke and Margarete May Macaulay, in person; the President of the Inter-American Commission on Women (CIM), María Inés Castillo de Sanmartín, virtually, and the Vice President of the IACtHR, Judge Humberto Antonio Sierra Porto, as the moderator, in person.

The following persons participated in Panel III entitled “Democracy and sustainable development: the role of Human Rights defenders”: Commissioner Joel Hernández, in person, and, virtually, Judge Verónica Gómez, the General Coordinator of the Council of Popular and Indigenous Organizations of Honduras, Berta Zúñiga, and the member of the United Nations Committee on Economic, Social and Cultural Rights and Dejusticia researcher, Rodrigo Uprimny. The panel was moderated by the IACHR Special Rapporteur on Economic, Social, Cultural and Environmental Rights, Soledad García Muñoz.

Panel IV, on “The exercise of political rights and democracy” was composed of: Commissioner Stuardo Ralón, who appeared virtually; Commissioner Esmeralda Arosemena, in person; Judge Rodrigo Mudrovitsch, virtually, and Judge Humberto Antonio Sierra Porto, in person. In addition, the panel was moderated, in person, by the IACHR Deputy Executive Secretary for the Petition and Case System.

The Session that closed the first day saw in-person presentations by the President of the Inter-American Commission on Human Rights, Commissioner Julissa Mantilla Falcón; the Vice President of the Inter-American Court of Human Rights, Judge Humberto Antonio Sierra Porto, and a final address by the OAS Secretary General, Luis Almagro.

On the second day, Panel V was held on “Journalism and democracy in the Americas: standards and challenges.” The opening presentation was made by the IACtHR Director of Communications and Press and Coordinator of the Dialoga Network of Journalists for Human Rights in Latin America and the Caribbean, Matías Ponce, in person. The members of the panel were as follows: the President of the Inter-American Court of Human Rights, virtually, and Judge Humberto Antonio Sierra Porto, in person. The panel was moderated by the IACHR Special Rapporteur for Freedom of Expression, Pedro Vaca, in person. Finally, the IACHR Executive Secretary, Tania Reneaum Panszi, in person, addressed some words of farewell to close the Forum.

The inaugural address and the panel presentations can be consulted [here](#).

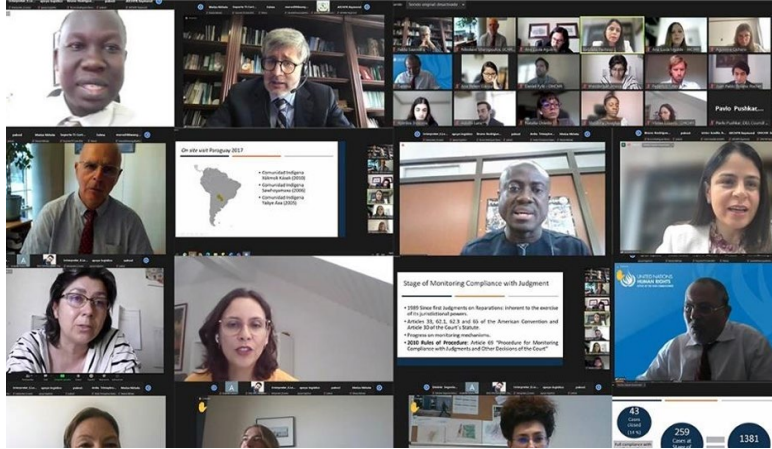


D. Dialogue with the United Nations

Working meeting on monitoring compliance with the decisions of the international Human Rights Courts and organs for the protection of Human Rights

On June 20, 2022, the Registrars of the Inter-American Court of Human Rights and of the African Court of Human and Peoples’ Rights, the Department for the Execution of Judgments of the European Court of Human Rights, and the Petitions and Urgent Action Section of the Office of the United Nations High Commissioner for Human Rights held a virtual working meeting during which they discussed the work of monitoring compliance with the decisions of the international human rights courts and organs.

The meeting consisted of a brief introduction by the Registrar of the Inter-American Court of Human Rights, Pablo Saavedra Alessandri, followed by presentations by the African Court of Human and Peoples' Rights, the Department for the Execution of Judgments of the European Court of Human Rights, the Inter-American Court of Human Rights, and the Office of the United Nations High Commissioner for Human Rights. Lastly participants held an open discussion.



Meeting of focal points with the UN

In Geneva, from October 15 to 17, 2022, a meeting was held between focal points and the United Nations during which the Inter-American Court of Human Rights took part in two activities: a workshop on how to improve cooperation with protection bodies, within the topic of "Business and Human Rights," and the meeting of focal points, which consisted in a dialogue with officials who act as focal points for other international agencies.

E. Dialogue with States

On May 3, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, and Judge Rodrigo Mudrovitsch held a working meeting with the Brazilian Minister for Foreign Affairs, Ambassador Carlos Alberto Franco França. The IACtHR Registrar, Pablo Saavedra Alessandri, and a delegation from the Brazilian Ministry of Foreign Affairs also attended the meeting.



Meeting of the full Court with the Minister for Foreign Affairs of Chile

On May 9, 2022, all the Judges of the IACtHR met with the Minister for Foreign Affairs of Chile, Antonia Urrejola, at the seat of the Court in San José, Costa Rica. The delegation consisted of the Minister for Foreign Affairs, the Ambassador of Chile to Costa Rica, Oscar Alcamán, and the First Secretary, Pablo Bustos.



Meeting with the Vice President of Colombia

On May 18, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, met with the Vice President of Colombia, Marta Lucía Ramírez de Rincón, in Montevideo, Uruguay.



Meeting with the Minister for Foreign Affairs of Paraguay

On October 5, 2022, during the fifty-second OAS General Assembly, the IACtHR President, Judge Ricardo C. Pérez Manrique, met with the Minister for Foreign Affairs of Paraguay, Ambassador Julio Cesar Arriola Ramírez.



Meeting with the Minister for Foreign Affairs of Peru

On October 7, 2022, the IACtHR President Judge Ricardo C. Pérez Manrique, held a meeting with the Minister for Foreign Affairs of Peru, Dr. Cesar Landa.



Meeting with the Minister for Foreign Affairs of Haiti

On October 7, 2022, the IACtHR President Judge Ricardo C. Pérez Manrique, held a bilateral meeting with the Minister for Foreign Affairs of Haiti, Jean Victor Génésus.



Meeting with the President of the Oriental Republic of Uruguay

On October 20, 2022, during its visit to Uruguay, the Inter-American Court met with President of the Republic, Dr. Luis Lacalle Pou. The President of the Court, Judge Ricardo C. Pérez Manrique, expressed his gratitude to the Uruguayan State for the cooperation provided in order to hold the Session in Uruguay. The IACtHR President was accompanied by Judges Nancy Hernández López, Verónica Gómez and Patricia Pérez Goldberg, and the Registrars, Pablo Saavedra Alessandri and Romina I. Sijniensky.



Meeting with the Vice President of the Oriental Republic of Uruguay

On October 11, 2022, the Inter-American Court of Human Rights met with the Vice President of the Oriental Republic of Uruguay, Beatriz Argimón, in the context of the Court's 153rd Session, which was held in Uruguay.



Meeting with the Minister for Foreign Affairs of Paraguay

On November 28, 2022, the IACtHR President Judge Ricardo C. Pérez Manrique met with the Minister for Foreign Affairs of Paraguay, Ambassador Julio César Arriola, and with the Ministry's authorities.



F. Dialogue with the Judiciaries of the region

Meeting with members of the Supreme Court of Justice of Panama

On March 16, 2022, in the context of a procedure conducted by the IACtHR in the Republic of Panama, the Court's delegation met with the President of the Supreme Court of Justice, Justice María Eugenia López Arias, Justice Olmedo Arrocha Osorio, Vice President of the Supreme Court of Justice, and Justice Carlos Alberto Vásquez Reyes, President of the Third Chamber for Contentious Administrative and Labor Affairs.



Visit to the Supreme Court of Justice of the Argentine Nation

On April 26, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, visited the Supreme Court of Justice of the Argentine Nation, and was received by its President, Horacio Rosatti, and its members.



On April 26, 2022, a delegation of the IACtHR headed by the President, Judge Ricardo C. Pérez Manrique, and consisting of Judge Verónica Gómez, Judge Patricia Pérez Goldberg, the Registrar, Pablo Saavedra Alessandri, and the Deputy Registrar, Romina I Sijniensky, held a working meeting with the Federal Criminal Cassation Chamber.



Superior Labor Court of Brazil

On May 11, 2022, the IACtHR received a delegation of judges from the Superior Labor Court of Brazil at the Court's Seat and signed an institutional cooperation agreement with the National Training School for Labor Judges.



Federal Supreme Court of Brazil

On August 19, 2022, the President of the Inter-American Court, Judge Ricardo C. Pérez Manrique, together with Judge Rodrigo Mudrovitsch, visited the Federal Supreme Court of Brazil, where they met with Justice Gilmar Mendes.



Meeting with the President and the President elect of the Superior Court of Brazil

On August 23, 2022, all the Judges of the Inter-American Court met with the President of the Superior Court of Justice of Brazil, Justice Humberto Soares Martin, and the President elect, Justice María Thereza de Assis.



Working meeting with the Caribbean Court of Justice

On September 21, 2022, the President of the Inter-American Court, Judge Ricardo C. Pérez Manrique, together with Judge Nancy Hernández López and the Registrar of the Court, Pablo Saavedra Alessandri, held a working meeting with the Caribbean Court of Justice at its seat in Trinidad and Tobago.



Participation in the Meeting of Tribunals, Courts and Constitutional Chambers of Latin America

On September 22, 2022, the Vice President of the IACtHR Judge Humberto Antonio Sierra Porto, and Judge Patricia Pérez Goldberg took part in the twenty-seventh Meeting of Tribunals, Courts and Constitutional Chambers of Latin America organized by the Rule of Law Program for Latin America of the KAS Foundation.



Visit to the Caribbean Court of Justice

On September 28, 2022, the President of the Inter-American Court of Human Rights, Judge Ricardo C. Pérez Manrique and Judge Nancy Hernández López, visited Trinidad and Tobago and held meetings with different actors of that country and of the region. The delegation, which was also composed of the IACtHR Registrar, Pablo Saavedra Alessandri, the Adviser to the President, Bruno Rodríguez Revegino, and the Director of Communications, Matías Ponce, held a working meeting with the Caribbean Court of Justice (CCJ). During the visit to the seat of that court, the President of the Inter-American Court highlighted the importance of renewing the framework cooperation agreement between the two courts and enhancing Case Law dialogue.



Meeting with the President of the Peruvian Judiciary

On October 6, 2022, the IACtHR President Judge Ricardo C. Pérez Manrique, held a meeting with the President of the Peruvian Judiciary, Elvia Barrios Alvarado, and all the justices of the Supreme Court of Justice of Peru.



Meeting with the Supreme Court of Uruguay

On October 13, 2022, the Inter-American Court of Human Rights held a meeting with the Supreme Court of Justice of Uruguay at the offices of the Judiciary.



Meeting with the Argentine Public Prosecution Service

On October 25, 2022, in the context of the visit to Argentina on monitoring compliance with Judgment, a delegation of the IACtHR headed by Judge Nancy Hernández López met with the Public Prosecution Service. Participants in the meeting included the Prosecutor General, a.i., Eduardo Casal; the Secretary for Institutional Coordination of the Office of the Attorney General, Juan Manuel Olima Espel, and the Head Prosecutor of the Institutional Violence Prosecution Service, Alberto Gentili.



Meeting with the full Supreme Court of Justice of Paraguay

On November 28, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, met with all the justices of the Supreme Court of Justice of Paraguay.



National Training School for Judges of Brazil

On May 5, 2022, Judges Verónica Gómez and Patricia Pérez Goldberg gave a presentation to Brazilian Judges enrolled in the diploma course on “Control of Conventionality,” organized by the National Training School for Judges of Brazil.

On August 26, 2022, the IACtHR Judges, Verónica Gómez and Eduardo Ferrer Mac-Gregor Poisot, gave presentations to Brazilian judges enrolled in the course on Training Brazilian trainers on the Case Law of the Inter-American Court of Human Rights, organized by the IACtHR, the National Judicial Council, the IACtHR Unit for monitoring compliance with Judgments and the National Training School for Judges (ENFAM).

On August 26, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, closed the course on Training Brazilian trainers on the Case Law of the Inter-American Court of Human Rights, organized by the IACtHR, the National Judicial Council, the IACtHR Unit for monitoring compliance with Judgments and the National Training School for Judges (ENFAM).



First Meeting of Regional Courts of Latin American and the Caribbean

The President of the Inter-American Court of Human Rights, Judge Ricardo C. Pérez Manrique, and Judge Nancy Hernández López, together with the IACtHR Registrar, Pablo Saavedra Alessandri, participated in the “First Meeting of Regional Courts of Latin America and the Caribbean” held in Port of Spain, the capital of Trinidad and Tobago. During this meeting, the Court’s delegation was able to exchange views on challenges common to the regional courts. In addition to the IACtHR, the Caribbean Court of Justice, Justicia, the Court of Justice of the Andean Community, the Central American Court of Justice and the Eastern Caribbean Supreme Court also took part in this event.

At the end of the Meeting, the Port of Spain Declaration on cooperation between regional courts was issued, and can be found [here](#).



G. Conferences and seminars

Conference: “The human rights of women” and presentation of the project on the systematization of the Case Law of the IACtHR and the Constitutional Chamber of Costa Rica

On March 8, 2022, Judge Nancy Hernández López participated in the conference “The human rights of women” organized by the Costa Rican Lawyers’ Professional Association. Other participants in the activity included Álvaro Sánchez, President of the Lawyers’ Professional Association, and Fernando Castillo Víquez, President of the Constitutional Chamber of the Costa Rican Judicial System.

During the event, the project was presented to systematize the Judgments of the Inter-American Court of Human Rights and the constitutional judgments of Costa Rica, elaborated by the Constitutional Chamber of the Costa Rican Judiciary. The systematization, which is available at: <https://salaconstitucional.poder-judicial.go.cr/index.php/jurisprudencia-cidh> makes the unified Inter-American and constitutional Case Law available to legal practitioners and the general public.



Conference “Gender, sustainable development and human rights”

To commemorate International Women’s Day, the conference “Gender, sustainable development and human rights” was held, organized by the Inter-American Court of Human Rights. The activity was moderated by the IACtHR President, Judge Ricardo C. Pérez Manrique, and speakers included Judges Verónica Gómez and Patricia Pérez Goldberg, and also Cecilia Jiménez-Damary, United Nations Special Rapporteur on the Human Rights of internally displaced persons, and Curllan Bhola, Representative of the Caribbean Environment Alliance.



IV Dialogue between the IACtHR and the region’s children and adolescents

On November 22, 2022, the fourth Dialogue between the Inter-American Court of Human Rights and children and adolescents of the region was held. Representatives of the Paniamor Foundation, and Save the Children, through the regional Civil Society Strengthening Program, conversed with Judges Ricardo C. Pérez Manrique and Verónica Gómez, and presented the document “The right of children and adolescents to DEFEND RIGHTS,” which resulted from a consultation of 25 young people from nine countries, representatives of the REDNNyAS, MOLACNATS, REDIME networks and Yo También Tengo Algo que Decir.

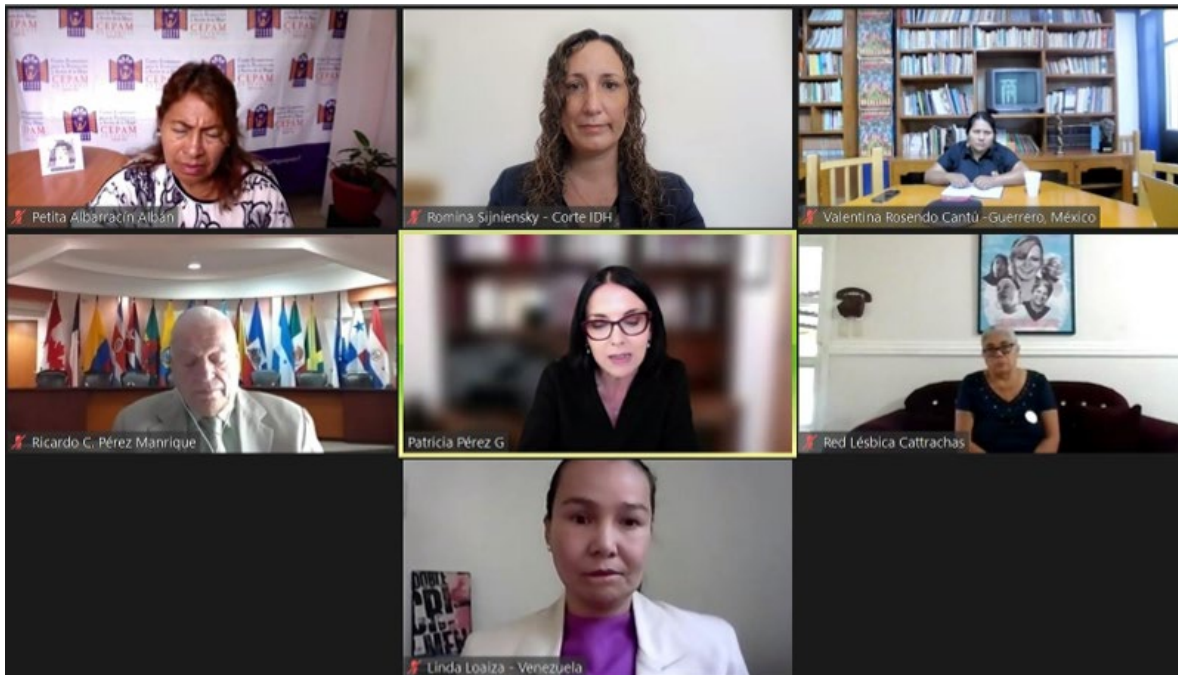


Diploma course on the Inter-American System of Human Rights

On September 13, 2022, the Deputy Registrar of the Court, Romina I. Sijniensky, gave a lecture on “The evolution of the Case Law of the IACtHR with regard to gender-based violence” during the “Dr. Héctor Fix-Zamudio” Diploma course on the Inter-American System of Human Rights.

Commemoration of the International Day for the Elimination of Violence against Women

To commemorate the International Day for the Elimination of Violence against Women, the Inter-American Court of Human Rights organized the Seminar “Voices of the victims: towards the eradication of all forms of violence against women and girls.” Participants in the activity included the IACtHR President, Judge Ricardo C. Pérez Manrique and Judge Patricia Pérez Goldberg, together with Linda Loaiza López Soto (Case of López Soto et al. v. Venezuela), Valentina Rosendo Cantú (Case of Rosendo Cantú et al. v. Mexico), Petita Albarracín Albán (Case of Guzmán Albarracín et al. v. Ecuador), and Rosa Argelia Hernández Martínez (Case of Vicky Hernández et al. v. Honduras).



Roundtable: Equality, non-discrimination and intersectionality: promotion and guarantee of equality and non-discrimination from an intersectional perspective

On December 9, 2022, the Roundtable: “Equality, non-discrimination and intersectionality: promotion and guarantee of equality and non-discrimination from an intersectional perspective” was held at the Court, organized by the Inter-American Court and the United Nations Network on Racial Discrimination and Protection of Minorities.

Participants in the event included Romina I. Sijniensky, Deputy Registrar of the Court; Mariateresa Garrido, Professor of the United Nations University for Peace; Larissa Arroyo Navarrete, Consultant, Lawyer and Expert on human rights, gender and inclusion; Aline Miklos, Senior Fellow at the Office of the UN High Commissioner for Human Rights; Laura Cahier, Office of the UN High Commissioner for Human Rights,

Section Indigenous Peoples and Minorities; Jota Vargas Alvarado, Mulabi/Espacio Latinoamericano de Sexualidades y Derechos, Elizabeth Jiménez Mora, Consultant on UN Special Procedures and also of the Inter-American Commission on Human Rights.



Seminar: Persons deprived of liberty: challenges for criminal justice in relation to the standards of the IACtHR

The Inter-American Court of Human Rights together with the Argentine Federal Criminal Cassation Chamber and the Argentine Ministry for Public Defense held the seminar: "Persons deprived of liberty: challenges for criminal justice in relation to the standards of the IACtHR" in the "Manuel Belgrano" auditorium of the Ministry of Foreign Affairs.

The IACtHR was represented by the Registrar, Pablo Saavedra Alessandri, in the opening panel, and the Deputy Registrar, Romina I. Sijniensky, intervened in the panel entitled "Gender and prisons," while Judge Nancy Hernández López took part in the panel on "Impact of the decisions of the IACtHR on criminal justice."



H. Other activities

- On February 24, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, and Judge Nancy Hernández attended the final of the twenty-fifth edition of the Eduardo Jiménez de Arechaga International Competition. The final competition was presided by Judge Nancy Hernández and the award ceremony by Judge Ricardo C. Pérez Manrique.
- On March 1, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, participated in the inauguration of the “Training course on legal standards of the Inter-American Court of Human Rights,” organized by the IACtHR together with the Center for Constitutional Studies of the Constitutional Court of Peru.
- On March 15, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, received, a delegation from the European Union at the seat of the Court, The delegation was headed by Javier Niño Pérez, Director for the Americas of the European Union. It was also composed of: Karolien Kras, responsible for Nicaragua for the EU; Antonia Calvo, Ambassador of the European Union to Costa Rica, and Katja de Saedeleer, EU Political Officer in Costa Rica.
- On March 21, 2022, the Deputy Registrar of the Court, Romina I. Sijniensky, took part in the “Training course on legal standards of the Inter-American Court of Human Rights,” organized by the Center for Constitutional Studies of the Constitutional Court of Peru and the Inter-American Court of Human Rights, in Session III on: “Women’s human rights in the Case Law of the IACtHR.”
- On March 22, 2022, IACtHR Judge Rodrigo Mudrovitsch participated in the event to launch the Judiciary’s national Human Rights agreement at the National Judicial Council of Brazil.
- On March 22, 2022, Judge Eduardo Ferrer Mac-Gregor gave the inaugural address of the fourth edition of the IACtHR diploma course on Human Rights for journalists.
- On March 24, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, participated in the Regional Seminar on Legal Pluralism in Latin America and the Caribbean “The right to one’s own law,” organized by Public Prosecution Service of Honduras.
- On March 31, 2022, the President of the Court, Judge Ricardo C. Pérez Manrique, participated in the launch of Resolution 3/21: Climate emergency: Scope of Inter-American Human Rights obligations, of the IACHR and the Special Rapporteur on Economic, Social Cultural and Environmental Rights.
- On April 1, 2022, IACtHR Judge Rodrigo Mudrovitsch participated in the Regional Meeting of the Judiciary of the state of Mato Grosso, Brazil.
- On April 19, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, gave a presentation at Yale University on “Human rights and freedom of expression in Latin America.”
- On April 25, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, participated in the inauguration of the seminar: “Impact of the Case Law of the Inter-American Court of Human Rights from the perspective of the Public Defense Service.”

- On April 25, 2022, Judge Patricia Pérez Goldberg participated in the Panel “Experiences of Inter-American Public Defenders: Case of Sebastián Claus Furlán and family v. Argentina, children and adolescents, and persons with disabilities,” in the seminar “Impact of the Case Law of the Inter-American Court of Human Rights from the perspective of the Public Defense Service.”
- On April 25, 2022, Judge Verónica Gómez participated in “Experiences of Inter-American Public Defenders: Panel 2: Case of the Pacheco Tineo family v. Bolivia (persons in a context of human mobility),” in the seminar co-organized by the IACtHR, the Association of Inter-American Public Defenders, and the Public Defense Service of the Argentine Republic.
- On April 25 and 26, 2022, the IACtHR Deputy Registrar, Romina I. Sijniensky, took part in the panel “Experiences of Inter-American Public Defenders: Case of José Agapito Ruano Torres and family v. El Salvador (public defense as a guarantee of access to justice)” in the seminar “Impact of the Case Law of the Inter-American Court of Human Rights from the perspective of the Public Defense Service.” In addition, the IACtHR President, Judge Ricardo C. Pérez Manrique, took part in the closing ceremony of the seminar.
- On May 2, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, participated in the regional event: Tenth anniversary of the United Nations Plan of Action on the Safety of Journalists and Issue of Impunity: achievements and challenges in Latin America and the Caribbean, held within World Press Freedom Day 2022, and organized by UNESCO.
- On May 2, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, held a working meeting with the Director General of UNESCO, Audrey Azoulay, during the World Press Freedom Day Global Conference 2022.
- On May 4, 2022, during the World Press Freedom Day Global Conference, the IACtHR President, Judge Ricardo C. Pérez Manrique, took part in the panel of Presidents of Regional Human Rights Courts on the legal frameworks that support freedom of expression and the safety of journalists, together with representatives of the African Court of Human and Peoples’ Rights and the European Court of Human Rights.
- On May 4, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, met with the United Nations Special Rapporteur on freedom of expression, Irene Khan. The same day, Judge Ricardo C. Pérez Manrique gave a talk to close the UNESCO Global Conference on Freedom of the Press, in the panel “Most recent Case Law of the Inter-American Court on freedom of expression, freedom of the press, and the safety of journalists.”
- On May 5, 2022, the IACtHR President met with Angela Erpel Jara and Luisa Rodríguez Gaitán, coordinators of democracy and Human Rights of the Southern Cone Regional Office and Colombian Office of the Heinrich Boll Foundation.
- On May 5, 2022, the President of the Court held a meeting with the President of the Association of Universities of Latin America (ENLACE), Víctor Moriñigo, Rector of the Universidad de San Luis, Argentina.
- On May 6, 2022, the President of the Inter-American Court held a meeting with the International Freedom of Expression Network (IFE).

- On May 6, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, met with the Vice President of the Associated Press, Karen Kaiser.
- On May 6, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, and the IACtHR Secretariat received the Ambassador of Norway to Mexico, concurrent with Central America, Ragnhild Imerslund, and Councilor Gro Dahle, at the seat of the Court.
- On May 16, 2022, IACtHR Judge, Nancy Hernández Lopez, together with the Court's Secretariat, received the United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Morris Tidball-Binz.
- On May 18, 2022, a working meeting was held at the seat of the Court between the Secretariat of the Inter-American Court and the Norwegian Embassy in Mexico, concurrent with Central America, the Swedish Embassy in Guatemala and the Swedish Development Agency (SIDA).
- On May 24, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, took part in the Conference: "Gender perspectives in the Case Law of the Inter-American Court, legislative activity and the Supreme Court of Justice," organized by the Law Faculty at the Universidad de la República, Uruguay.
- On May 26, 2022, IACtHR Judge Patricia Pérez Goldberg held a meeting with the Committee on the Prevention of Torture of Chile.
- On May 26, 2022, the President of the Inter-American Court, Judge Ricardo C. Pérez Manrique, and the President of the Constitutional Court and Director General of the Institute of Constitutional Justice, Justice Dina Josefina Ochoa Escribá, inaugurated the fourth diploma refresher course on the Case Law of the Inter-American Court of Human Rights held in Guatemala from May 25 to July 7, 2022.
- On May 30, 2022, the IACtHR Judge, Verónica Gómez gave a presentation during the "Conference on Human Rights and internal displacement," organized by the Global Campus of Human Rights together with the Human Rights Center of the University of Pretoria.
- On May 31, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, participated in the launch of the volume: "Fighting Corruption from a human rights approach to the administration of justice." organized by United Nations Development Programme in Argentina, the Law Faculty at the Pontificia Universidad Católica de Argentina, the Argentine Journalism Forum, and the master's program in governance and Human Rights, UAM.
- On June 1, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, received a visit from students of the Universidad Católica del Uruguay.
- On June 2, 2022, the IACtHR Judge, Patricia Pérez Goldberg gave a master class on the Case Law of the IACtHR on protection of human rights defenders, during the Permanent program of updates of Inter-American Case Law of the Supreme Court of Justice of Mexico.
- On June 17, 2022, a delegation from the Office of the Guatemalan Ombudsman visited the seat of the Court in San José, Costa Rica, and met with the Registrar, Pablo Saavedra Alessandri.
- On June 22, 2022, the German Ambassador to Costa Rica, Martina Nibbeling-Wriessnig, and the Embassy's Attaché, Tim Breier, visited the seat of the IACtHR. On that occasion, the delegation from the Embassy and the GIZ held a meeting with all the full Court.

- On July 5, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, together with the Registrar, Pablo Saavedra Alessandri, took part in the Ibero-American Colloquium on “The Case Law of the IACtHR and its structural impact,” held in Heidelberg, Germany, in collaboration with the Max Planck Institute and the Konrad Adenauer Foundation.
- On July 7, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, participated in the Seminar: “Transformative impacts of the Inter-American System of Human Rights” in Heidelberg, Germany. The event was organized by the Max Planck Institute for Comparative Public Law and International Law, the Inter-American Court of Human Rights, the Inter-American Commission on Human Rights, and the Rule of Law Program for Latin America of the Konrad Adenauer Foundation.
- On July 8, 2022, Judge Patricia Pérez Goldberg participated in the closing ceremony of the First Inter-American Network of the Judiciary’s Gender Focal Points.
- On July 12, 2022, the meeting “Establishing networks for justice with a gender-based perspective” was held in Mexico City, with the participation of Judge Patricia Pérez Goldberg and IACtHR Deputy Registrar Romina I. Sijniensky. The Inter-American Court Judge, Patricia Pérez Goldberg, gave the inaugural address on “The obligation to adjudicate with a gender-based perspective based on the standards of the Inter-American System for the protection of human rights.” The Deputy Registrar of the Court, Romina I. Sijniensky, took part in the Panel of Experts on “Advances, challenges and perspectives of access to justice with a gender-based perspective in the region.”
- On July 22, 2022, the Inter-American Court Judge, Verónica Gómez, presided the Judging Panel for the Nelson Mandela Moot Court Competition held by the United Nations Human Rights Council in Geneva.
- On August 3, 2022, Judge Patricia Pérez Goldberg gave the keynote address, “Women deprived of liberty and their protection under the Inter-American System of Human Rights” during the Fourth Austral Workshop on international human rights law organized by the Circle of International Human Rights Law Studies (CEDIDH).
- On August 4, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, gave a presentation in the course on international law of the Inter-American Juridical Committee of the Organization of American States, held in Rio de Janeiro, Brazil.
- On August 5, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, took part, together with Judge Rodrigo Mudrovitsch, in the roundtable: “Freedom of expression” organized by the Getulio Vargas Foundation in Rio de Janeiro, Brazil.
- On August 5, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, gave a master class on “Freedom of expression and Rule of Law” in the in the course on international law of the Inter-American Juridical Committee of the Organization of American States, held in Rio de Janeiro, Brazil.
- On August 5, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, met with members if the OAS Inter-American Juridical Committee at their office in Rio de Janeiro, Brazil.
- On August 11, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, gave a presentation on “IACtHR standards on freedom of expression” at an event organized by the Advisory Committee for Freedom of Expression of the Dominican Republic.

- On August 15, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, took part in the inauguration of the international congress: “The Future of justice and of organized advocacy as pillars of democracy” organized by the Panamanian Lawyers’ Professional Association.
- On August 19, 2022, the IACtHR President, Ricardo C. Pérez Manrique, gave a presentation on: “The Inter-American Court of Human Rights and the challenges for freedom of expression in the twenty-first century,” following which he was awarded an honorary doctorate. Justices Gilmar Mendes and Cármen Lúcia of the Federal Supreme Court of Brazil took part in the event, together with IACtHR Judge, Rodrigo Mudrovitsch.
- On August 19, 2022, the IACtHR President Judge Ricardo C. Pérez Manrique, gave a master class to students of the Rio Branco Diplomatic Training Institute in Brazil.
- On August 22, 2022, the seminar: “Control of conventionality and vulnerable groups” was held in homage to the former Judge and President of the IACtHR, Antônio Augusto Cançado Trindade, with the participation of the Court’s Judges.
- On August 25, 2022, the Deputy Registrar of the Court, Romina I. Sijniensky, took part in the intensive training course for Judges on the Case Law of the Inter-American Court of Human Rights, organized by the Inter-American Court of Human Rights in cooperation with ENFAM and UMF-CNJ, and presented the topic: “Right to personal integrity and liberty in the Case Law of the IACtHR: persons deprived of liberty and detention conditions.”
- On August 29, 2022, the United Nations Special Rapporteur on the Right to Peaceful Assembly and of Association, Clement Nyaletsossi, visited the seat of the IACtHR and held a meeting with the Court’s Secretariat.
- On August 31, 2022, Judge Eduardo Ferrer Mac-Gregor gave a master class on “Case Law lines and the impact of the work of the Inter-American Court” in the Fifth edition of the diploma course on human rights for journalists, and on September 14, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, gave a presentation on “Case Law and challenges in relation to freedom of expression” to participants in the diploma course on Human Rights for journalists.
- On September 13, 2022, the President of the Inter-American Court, Judge Ricardo C. Pérez Manrique, gave a presentation on the Inter-American System of human rights to the diplomatic corps accredited to Uruguay, in an activity organized by the OAS office in that country.
- On September 14, 2022, a delegation of the International Committee of the Red Cross, composed of Olivier Dubois, Head of the Regional Delegation of the ICRC for Mexico to Central America, and Eric Tardif, Legal Adviser to the delegation, visited the seat of the IACtHR and met with Judge Nancy Hernández López, Deputy Registrar Romina I. Sijniensky, and the lawyer responsible for international cooperation, Javier Mariezcurrena.
- On September 15, 2022, the Deputy Registrar of the Court, Romina I. Sijniensky, took part in the National Meeting on the Execution of Sentence and Measures of Security, co-organized by the “Rodrigo Lara Bonilla” Judicial School, the Superior Judicial Council of Colombia, and the Colombian Delegation of the International Committee of the Red Cross (ICRC) and spoke on “Standards of the Inter-American System of Human Rights for the incorporation of a gender-based approach into the judicial activity.”

- On September 16, 2022, the President of the Inter-American Court of Human Rights, Judge Ricardo C. Pérez Manrique, was awarded an honorary doctorate by the Universidad Nacional del Mar del Plata, Argentina.
- On September 16, 2022, the President of the Inter-American Court, Judge Ricardo C. Pérez Manrique, gave a presentation on “Environment and climate change in terms of human rights,” organized by the Universidad Nacional de Mar de Plata, Argentina.
- On September 23, 2022, the Vice President of the IACtHR, Judge Humberto Antonio Sierra Porto, took part in the panel: “Constitutional reforms and their impact on the tribunals, courts and constitutional chambers of the region,” held during the twenty-seventh Meeting of Tribunals, Courts and Constitutional Chambers of Latin America.
- On September 23, 2022, the Deputy Registrar of the Court, Romina I. Sijniensky, took part in the Third National Congress: “New horizons for responses to gender-based violence,” organized by the Secretariat for Gender and Access to Justice of the Costa Rican Judiciary, the Embassy of the United States of America, and PROMESA of the National Center for State Courts (NCSC), in the panel entitled “International standards in relation to gender-based violence.”
- On September 27, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, participated in the conference: “Constitutional justice and gender,” organized by the Group of Women Constitutionalists of Uruguay at the Institute of Constitutional Law.
- On October 7, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, met with the Ambassador and Permanent Representative of Barbados to the Organization of American States, Noel Lynch.
- On October 11, 2022, Judges Humberto Antonio Sierra Porto, Eduardo Ferrer Mac-Gregor, Nancy Hernández López and Patricia Pérez Goldberg, IACtHR Deputy Registrar, Romina I. Sijniensky, and IACtHR Director of Legal Affairs, Alexei Julio, took part in the international seminar: “Inter-American Court of Human Rights, Rule of Law and control of conventionality.”
- On October 13, 2022, members of the Inter-American Court of Human Rights met with the former Vice Minister for Foreign Affairs of Uruguay and international reference point on human rights protection, Belela Herrera.
- On October 14, 2022, the Inter-American Court of Human Rights held a meeting with the National Human Rights Institution of Uruguay and Ombudsman’s Office. The Court was informed of the work of this Institution and a joint plan of work and dialogue was agreed on by the Secretariats of the two institutions.
- On October 18, 2022, the seminar “Functioning and Case Law lines of the Inter-American Court of Human Rights” was held in Maldonado, co-organized with the Law Faculty at the Universidad CLAEH, with the participation of Judge Humberto Antonio Sierra Porto, Vice President of the Court, and Judges Nancy Hernández López and Verónica Gómez.
- On October 19, 2022, the Deputy Registrar of the Court, Romina I. Sijniensky, took part in the course on International women’s human rights standards for a life free of violence, organized by the Legal Research Institute at the Universidad Nacional Autónoma de México (IIJ-UNAM), the Follow-up Mechanism on the Convention of Belém do Pará (MESECVI) and the National Institute for Women (INMUJERES), in “Module IV: The standard of due diligence in relation to violence against women; meaning and scope of the standard of due diligence in relation to violence against women.”

- On October 19, 2022, the IACtHR, represented by the Adviser to the President, Bruno Rodriguez, participated in the Seminar on Judicial Dialogue in the African Continent organized by the African Court of Human and Peoples' Rights in Addis Ababa, Ethiopia.
- On October 20, 2022, in the context of the Court's 153rd Regular Session held in Uruguay, a seminar was held on: "Impact of the Inter-American System for the protection of Human Rights" at the Law Faculty of the Universidad de la Empresa in Colonia. The IACtHR Registrar, Pablo Saavedra Alessandri, the Coordinator of monitoring compliance with Judgments, Gabriela Pacheco, and the lawyer, Ariana Macaya, participated in the Seminar.
- On October 21, 2022, in the context of the Session held in Uruguay, the President of the Inter-American Court had a working meeting with the Inter-American Children's Institute, with headquarters in Montevideo.
- On October 24, 2022, in the context of the Court's 153rd Regular Session held in Uruguay, the President, Judge Ricardo C. Pérez Manrique, gave a presentation on "Human rights of migrant children" at the Judicial Training School
- On October 24, 2022, the Deputy Registrar of the Court, Romina I. Sijniensky, took part in Panel I "Gender and prisons" of the seminar on "Persons deprived of liberty: challenges of the IACtHR standards for criminal justice," co-organized by the Inter-American Court of Human Rights, the Argentine Federal Criminal Cassation Chamber, and the Argentine Public Defense Service.
- On October 24, 2022, the Deputy Registrar of the Court, Romina I. Sijniensky, took part in the presentation of the Prize for Judgments on access to justice awarded in recognition of a litigating team.
- On October 25, 2022, during a visit to Argentina on monitoring compliance with Judgments, the IACtHR delegation headed by Judge Nancy Hernández López held a meeting with Argentine Senators and Members of Congress in relation to reparations that involve amendments to the law. The Court's delegation also consisted of the Registrar, Pablo Saavedra Alessandri, and the Coordinator of monitoring compliance with Judgments, Gabriela Pacheco.
- On October 25, 2022, during a visit to Argentina on monitoring compliance with Judgments, the IACtHR delegation headed by Judge Nancy Hernández López met with the Argentine Minister for Human Rights, Horacio Pietragalla Corti.
- On October 26, 2022, the IACtHR, represented by Judge Verónica Gómez and Registrar Pablo Saavedra Alessandri, participated in the Ninth Congress of the Inter-American Association of Public Defenders (AIDEF: "Approaches to institutional violence by public defense services."
- On October 26, 2022, Judge Verónica Gómez participated in the discussion "Transformative impact and transcendence of the regional Human Rights courts: realities and challenges," organized by the Supreme Court of Justice of Mexico.
- On October 26, 2022, during a visit to Argentina on monitoring compliance with Judgments, the IACtHR delegation headed by Judge Nancy Hernández López held a meeting with the Vice Minister of Foreign Affairs, Pablo Tettamanti, and the Director for International Contentious Cases involving Human Rights, State Agent, Javier Salgado.

- On October 26, 2022, during a visit to Argentina on monitoring compliance with the IACtHR judgments, Judge Nancy Hernández López, with the lawyer, Gabriela Pacheco, met with the Executive Director of the MERCOSUR Institute for Public Policy on Human Rights, Remo Carlotto, and the Director for Research, Javier Palummo.
- On October 28, 2022, the IACtHR Judge, Patricia Pérez Goldberg, participated in the discussion on Gender with a differentiated and ethnic approach, organized by the National Commission on Gender of the Judiciary of the Republic of Colombia, in which she made a presentation on “The obligation to adjudicate with a gender-based perspective based on the standards of the Inter-American System for the protection of human rights.”
- On November 1, 2022, during the Diploma Course on human rights for journalists, Judge Patricia Pérez Goldberg imparted a class on “Human rights of persons deprived of liberty.”
- On November 2, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, gave a presentation in the seminar “The international protection of human rights under the Inter-American System and the role of Judges in the twenty-first century,” held in conjunction with the Superior Court of Justice of Arequipa.
- On November 3 2022, Judge Patricia Pérez Goldberg participated in the workshop: “Detention conditions and rights of women serving prison sentences” organized by the Prosecution Service of the Temuco Appellate Court, Chile.
- On November 4, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, gave a keynote presentation during the first University Extension Congress: “On-site work and access to justice,” organized by the Law Students Center of the Universidad de la República, Uruguay.
- On November 4, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, gave a presentation on Challenges for the safety of journalists and Case Law of the Inter-American Court of Human Rights in the seminar “Safety of Journalists: Protecting Media to Protect Democracy” in Vienna, Austria, organized by the Ministry of Foreign Affairs of Austria and UNESCO.
- On November 10, 2022, the IACtHR Coordinator of monitoring compliance with Judgments, Gabriela Pacheco, participated in the Workshop “The transformative impact of compliance with the decisions of the Inter-American human rights system in Colombia: a multidimensional dialogue” organized by the Max Planck Institute for Comparative Public Law and International Law and the Rule of Law Program for Latin America of the KAS Foundation.
- On November 11, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, together with the Vice President, Judge Humberto Antonio Sierra Porto, and Judges Nancy Hernández López and Verónica Gómez, participated in an open conversation with journalists from Costa Rica, Nicaragua and Honduras at the seat of the IACtHR.
- On November 14, 2022, the Deputy Registrar, Romina I. Sijniensky, made a presentation in the event: “From a punitive to an integral approach: strategies and challenges in the prevention, response to, investigation, punishment and reparation of femicide in Latin America,” co-organized by CIM, MESECVI, the Latin American Gender and Justice Team (ELA), the Office for Women of the Argentine Supreme Court of Justice and the Mexican Supreme Court of Justice, in the panel: “Towards a system of integral reparation in Cases of femicide.”

- On November 17, 2022, Judge Patricia Pérez Goldberg participated in Panel 1: “International obligations and persisting challenges in the fight against femicide: impunity and barriers to access to justice by victims and survivors,” during the event: “Strategies to prevent femicide violence against women and girls: lacunae, challenges and changes,” organized by MESECVI-OAS and the Ministry for Women and Gender Equity of Chile.
- On November 21, 2022, the UN Special Rapporteur on contemporary forms of slavery, Tomoya Obokata, visited the seat of the Inter-American Court and met with the Registrar, Pablo Saavedra Alessandri, and the Deputy Registrar, Romina I. Sijniensky. The United Nations delegation also consisted of Satya Jennings of the OHCHR, and Ana María Upegui. The Adviser to the President, Bruno Rodríguez Reveggino, was also present at the meeting.
- On November 24, 2022, the IACtHR Registrar, Pablo Saavedra Alessandri, participated in an open conversation with journalists from Guatemala, Colombia, Chile and Mexico at the seat of the IACtHR.
- On November 28, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, and the lawyer, Javier Mariezcurrena, provided training on control of conventionality, the Inter-American System and the main Case Law lines of the Inter-American Court to Paraguayan Judges.
- On November 29, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, took part in the United Nations Global Forum on “Business and human rights” in which he spoke on the Inter-American Court’s recent Case Law in defense of such human rights and its contribution to the Sustainable Development Goals.
- On November 29, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, gave a presentation in the seminar: Freedom of expression: updated Case Law and protection of human rights, co-organized with UNESCO and the Supreme Court of Justice of Paraguay.
- On November 29, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, gave a keynote presentation on “Case Law of the Inter-American Court on the human rights of children and adolescents,” during the Workshop on the rights of the child organized by the Law Faculty of the Universidad Nacional de Asunción.
- On November 29, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, met and conversed with public defenders, members of the Public Defense Ministry of Paraguay.
- On November 30, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, held a working meeting with the Supreme Court of Justice of Paraguay.
- On December 6, 2022, the United Nations Assistant Secretary-General for Human Rights, Ilze Brands Kehris, visited the seat of the IACtHR and met with Deputy Registrar Romina I. Sijniensky.
- On December 7, 2022, the IACtHR President, Judge Ricardo C. Pérez Manrique, Judge Rodrigo Mudrovitsch and Deputy Registrar Romina I. Sijniensky, participated in the twenty-fifth International Constitutional Law Congress: “Global society and democracy,” organized by the Instituto Brasileiro de Ensino, Desenvolvimento e Pesquisa (IDP), in the panel on “Control of conventionality and deprivation of liberty.”

- On December 8, 2022, Judge Nancy Hernández López participated in the 17th International Colloquium of the Human Rights and Humanitarian Law Research Center – Panthéon-Assas University Paris II: “Social research and human rights: What rights for what type of protection?”
- On December 8, 2022, the Deputy Registrar of the Court, Romina I. Sijniensky, was a speaker at the International Congress on “Prisons in Crisis: old challenges, new proposals” organized by United the Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD), and addressed the issue of “Differentiated approaches to persons deprived of liberty: in particular, the situation of women, persons who do not conform to heteronormative standards, and children in contact with the prison system.”
- On December 12, 2022, Judge Nancy Hernández López inaugurated the seminar “Human rights, expert knowledge and community of practice,” held at the Max Planck Instituto of Heidelberg from December 12 to 14, 2022. Judge Eduardo Ferrer Mac-Gregor also participated in the seminar on December 16, 2022.
- On December 16, 2022, Judge Patricia Pérez Goldberg participated in a meeting with professors of the Department of Public Law and the Department of International Law of the Law Faculty of the Pontificia Universidad Católica de Chile on current trends in international human rights law.
- On December 19, 2022, Judge Patricia Pérez Goldberg took part as the keynote in the speaker in the discussion on “Women deprived of liberty; challenges from a gender perspective. Analysis of Advisory Opinion No. 29 of the Inter-American Court of Human Rights” organized by the Public Criminal Defense Service and “Mujer Levántate” Foundation held in the auditorium of the Centro de Justicia in Santiago, Chile.



Human rights education and **training programs**

XI

XII. Human rights education and training programs

During 2022, using different methodologies and training resources, the Court organized 21 human rights training activities on diverse issues on which it has developed Case Law with the participation of more than 1,800 people, most of them employed in justice institutions or in state organs for the protection of human rights in the States parties.

The Inter-American Court resumed the in-person training activities that, owing to the pandemic, had been transformed into virtual courses. Accordingly, different in-person training processes were organized under the cooperation projects with Switzerland (COSUDE, Phases II and III) and Sweden (SIDA, Phase II). Since the resumption of in-person activities, the Court has carried out a total of 13 in-person training processes in four States parties.

In addition, different types of virtual training (synchronous, asynchronous and hybrid) were offered. In this regard, training activities resulting from requests received from the Judiciary or from provincial and national high courts should be underlined. In response to such requests, the IACtHR organized four virtual training activities to benefit the Center for Constitutional Studies of the Constitutional Court of Peru, the Superior Courts of Justice of Pasco and Arequipa, both in Peru, and also the Judicial Academy of Costa Rica.

The Court also continued to reinforce its work of preparing virtual self-training courses and developed, in conjunction with the Argentine National Defense Service and FLACSO, a course addressed at the public defenders of States parties on Women's human rights. Also, as part of the SIDA project, three self-training courses, each consisting of ten classes, were prepared and recorded on basic aspects of the Inter-American System of human rights, access to its protection organs and the procedures before them, and the right to equality and the principle of non-discrimination. The courses are free and for everyone; they are available in Spanish and are being recorded in English and dubbed in Portuguese.

Also, although the Court has been making a significant effort to develop training processes that supplement specific dissemination or training activities since 2018, in 2022 it came up with the idea of establishing its own training center and began to seek the necessary resources to get it up and running.

The Training Center has been conceived as a place for providing training to public institutions and to the general public on the Case Law of the IACtHR and, in principle, it consists of three elements: one for the production of audiovisual resources that can even be used as the Court's television channel; a virtual training space, established on the website of the IACtHR, and physical facilities.

Lastly, it is necessary to highlight that, as has been usual since 2018, in 2022 the IACtHR's teaching teams – mostly composed of its Secretariat's lawyers and former lawyers – consisted of 67.86% women and 32.14% men.

TRAINING ACTIVITIES IMPLEMENTED 2022



- COSUDE, Phases II and III
- Refresher diploma course on the case law of the Inter-American Court of Human Rights
- Update Program on the Jurisprudence of the Inter-American Court of Human Rights
- Diploma with the support of the Institute of Constitutional Justice (IJ) of the Constitutional Court of Guatemala
- Fourth edition of the Diploma with the support of the Judicial School of Honduras "Francisco Salomón Jiménez Castro"
- Special course on the rights of indigenous and tribal peoples in the case law of the IACtHR
- Courses on the international obligations of States and gross human rights violations
- Workshops on Best Practices in relation to the Rights of Indigenous and Tribal Peoples, the Environment, and Human Rights Defenders
- Special course on Women's Rights in the case law of the Inter-American Court of Human Rights
- Training activities under the project Institutional strengthening of the Inter-American Court of Human Rights to optimize its capacities, of the Swedish International Development Cooperation Agency (SIDA, Phase II)
- Activities carried out with the Dialoga Network of Journalists for Human Rights in Latin America and the Caribbean
- Course: "Legal standards of the Inter-American Court of Human Rights"
- Course: "Refresher course on the case law of the Inter-American Court of Human Rights"
- Course: "The Inter-American Court of Human Rights and its main lines of Case Law"
- Course: "The international protection of human rights in the inter-American System and the role of judges in the twentieth century"

A. In-person and hybrid training

1. Training activities under the projects of the Swiss Agency for Development and Cooperation (COSUDE, Phases II and III)

A major part of the project that the IACtHR implemented with the support of COSUDE was aimed at reinforcing the judiciaries, public prosecution services, public defense services, ombudsperson's offices, and other key institutions for the protection of human rights of El Salvador, Guatemala and Honduras by different training activities on international human rights law and the Case Law of the Inter-American Court. As part of these activities, during 2022, different types of training processes were executed in the three target countries.

2. Refresher Diploma Course on the Case Law of the Inter-American Court of Human Rights

The Inter-American Court continued to implement the fourth consecutive edition of this medium-length training process on human rights that has been organized each year since 2018 in El Salvador, Guatemala and Honduras.

Each course had a duration of approximately 50 hours of training divided into three modules: (a) an initial in-person module; (b) a virtual self-training module, which included 16 presentations recorded by the Court's lawyers that can be found in the Virtual Classroom together with other resources, and (c) an in-person closing module. Participants had to complete a short multiple-choice questionnaire to verify that they had watched the presentations and consulted the reading material. These diploma courses provide basic training on international human rights law, the Inter-American System of human rights, the IACtHR, control of conventionality, the Court's main Case Law standards, emphasizing the topics of administration of justice and human rights based on the Case Law of the IACtHR on Articles 8 and 25 of the American Convention. At the end of each course, the Court's Secretariat and the national counterparts award a certificate of participation to those who attended the course and passed with a note of 80% or more based on the course material and the respective evaluations.

In order to organize these training sessions, each participating institution distributed the announcement of the course prepared by the IACtHR and selected the participants. The Judicial Training Academy of El Salvador, the Institute of Constitutional Justice of the Constitutional Court of Guatemala, and the Judicial Academy of Honduras were the principal national institutions responsible for distributing information to, and receiving information from, all the other domestic institutions.

A summary of each of these refresher Diploma Courses on the Case Law of the Inter-American Court of Human Rights held in 2022 appears below.

El Salvador

From May 19 to June 28, 2022, the Inter-American Court held the fourth edition of the Refresher program on the Case Law of the Inter-American Court of Human Rights, with the support of the "Dr. Arturo Zeledón Castrillo" Judicial Training Academy of El Salvador and with the active participation of 27 officials, including Judges, prosecutors from the Public Prosecution Service, agents of Attorney General's Office and of the Ombudsman's Office, among other key officials for the protection of human rights in that country.



The introductory module was imparted in person on May 19 and 20, 2022. The activity was inaugurated by the former judge and former president of the Inter-American Court, Sergio García Ramírez, as well as by the President of the National Judicial Council, Miguel Ángel Calero Ángel. Other members of the Council also took part in the inauguration. From May 25 to June 25 the virtual intermediate self-training module was imparted. Finally, on June 27 and 28, the closing module was offered in person on the Case Law of the IACtHR in relation to Articles 8 and 25 of the American Convention.

Guatemala

From May 25 to July 7, 2022, the Inter-American Court held the fourth edition of the Refresher program on the Case Law of the Inter-American Court of Human Rights, with the support of the Institute of Constitutional Justice (ICJ) of the Constitutional Court of Guatemala. Eighty persons participated in the Court, including Judges, prosecutors, public defenders, and other relevant actors in the protection of human rights from throughout the country. The introductory module was imparted in person on May 25 and 26, and was inaugurated virtually by the President of the Inter-American Court, Judge Ricardo C. Pérez Manrique and by the President of the Constitutional Court and the Director General of the Institute of Constitutional Justice, Judge Dina Josefina Ochoa Escribá. Subsequently, from May 30 to June 24, the intermediate module was held and, finally, on July 6 and 7, the closing module on the administration of justice and human rights took place.



Honduras

Lastly, from June 20 to August 9, 2022, the Inter-American Court the Inter-American Court held the second edition of the Refresher program on the Case Law of the Inter-American Court of Human Rights in Honduras with the support of the "Francisco Salomón Jiménez Castro" Judicial Academy of Honduras, and with the participation of more than 50 officials involved in the administration of justice, including Judges, prosecutors, public defenders, agents of the Attorney General's Office, and other important actors for the protection of human rights in the country.

The introductory module was imparted on June 20 and 21, in person, and it was inaugurated by the assistant director of the "Francisco Salomón Jiménez Castro" Judicial Academy of Honduras, Ingrid Ramos Madrid. Carlos David Calix Vallecillo, director of the Training Academy of the Public Prosecution Service, also took part in the inauguration, together with, Tomás Andrade Rodas, assistant Attorney General. The intermediate self-training module was held from June 22 to August 7 and, finally on

August 8 and 9, the closing model was held on the Case Law of the IACtHR on the rights to due process and judicial protection.

3. Special course on the rights of indigenous and tribal peoples in the Case Law of the IACtHR

Guatemala

This third edition of the course, whose first and second editions were imparted virtually in 2020 and 2021 in the three countries involved in the project, seeks to reinforce the capabilities of the institutions for the administration of justice by providing training on the Inter-American Court's Case Law standards on the rights of indigenous and tribal peoples.

On August 31 and September 1, 2022, the Inter-American Court held the third edition of the course at the seat of the Constitutional Court of Guatemala. More than 100 officials took part in this training process. They included officials involved in the administration of justice, and from the Constitutional Court, and also Judges, lawyers from the Public Criminal Defense Service, and prosecutors from the Public Prosecution Service, among other key officials for the protection of human rights in that country. Participants were able to converse with the speakers on the theoretical and legal grounds for the control of conventionality and the interpretation of the American Convention in light of the rights of indigenous and tribal peoples, the right to communal property, the right to consultation and prior free and informed consent, access to justice and legal pluralism.

4. Courses on the international obligations of States and gross human rights violations

Guatemala

On August 1 and 2, 2022, two courses on the Case Law of the Inter-American Court of Human Rights and the international obligations of States in relation to gross human rights violations were held in Guatemala City, Guatemala.

One of the activities was held for 90 officials of the Guatemalan Office of the Ombudsman, who participated in person as well as virtually from the most distant regions of the country. Jordán Rodas Andrade, Guatemala's Ombudsman at the time was one of the participants in the inauguration of the course.

Additionally, on August 2, 2022, the IACtHR organized a course open to the general public on the same topic, with 30 participants, including law students, lawyers, prosecutors and Judges.



5. Workshops on Best Practices in relation to the Rights of Indigenous and Tribal Peoples, the Environment, and Human Rights Defenders

In order to expand its outreach and involve other relevant actors for the promotion and protection of human rights in the three countries covered by the project, the IACtHR organized three Workshops on



Best Practices in relation to the Rights of Indigenous and Tribal Peoples, the Right to a Healthy Environment, and Human Rights Defenders in El Salvador, Honduras and Guatemala. These were two-day events that included discussion panels with the participation of national and international experts, officials from the Judiciary and Executive branches of each country, and from the offices of the ombudspersons, and other key national institutions.

Contrary to traditional training courses, the central idea of the Workshops was to inform participants of the best national and international practices in relation to the

environment, and the rights of indigenous and tribal peoples and human rights defenders, and discuss these with them, so that such practices may be disseminated and eventually replicated in the different States of the region.

El Salvador

The first of these activities was held in San Salvador, El Salvador, on July 20 and 21, 2022, on the premises of the “Dr. Arturo Zeledón Castrillo” Judicial Training Academy. The Workshop was inaugurated by senior authorities of the National Judicial Council (CNJ) and was imparted to 30 officials from the Indigenous Peoples and Afro-descendants Development Unit of the Ministry of Culture, the Ministry of the Environment and Natural Resources, the Ministry of Health, and the Ombudsman’s Office, and also Salvadoran Judges.

Honduras

On August 11 and 12, 2022, the Workshop was held at the “Francisco Salomón Jiménez Castro” Judicial Academy of Honduras. More than 30 officials participated from diverse public entities, including, the Office of the Assistant Attorney General; the Special Prosecutor’s Office for Ethnic Affairs and Cultural Heritage of the Public Prosecution Service; the Ministry of Energy, National Resources, the Environment, and Mines; the University Institute on Democracy, Peace and Security of the Universidad Nacional Autónoma de Honduras (IUDPAS-UNAH) and the National Human Rights Commission.



Guatemala

Lastly, on August 29 and 30, 2022, the Workshop was held in Guatemala City, Guatemala. More than 50 officials from different public entities took part in the event, including the Constitutional Court, the Judiciary, the Public Prosecution Service, the Office of the Ombudsman, the Public Criminal Defense Institute, the President's Peace and Human Rights Commission, and the Office of the Attorney General.



6. Special course on Women's Rights in the Case Law of the Inter-American Court of Human Rights

The purpose of the Special course on Women's Rights in the Case Law of the IACtHR is to enhance institutional capabilities for the administration of justice in the countries involved, by training their officials



on the standards established in the Case Law of the IACtHR in relation to women's rights. This is a two-day course which presents the most relevant lines of the IACtHR's Case Law related to the principle of equality and non-discrimination, and State obligations with regard to the protection of women's rights, the rights to life and person integrity, women's sexual and reproductive rights, access to justice and other relevant issues.

Honduras

On November, 29 and 30, 2022, the Course on Women's Rights in the Case Law of the Inter-American Court of Human Rights was held on the premises of the Judicial Academy of Honduras, with the participation of 30 Judges, prosecutors and other officials related to the administration of justice in general from different institutions such as the Public Prosecution Service, the Judiciary, the Office of the Attorney General and the Public Defense Service.

El Salvador

On December 5 and 6, 2022, the Inter-American Court held the first Course on Women's Rights in the Case Law of the Inter-American Court of Human Rights in El Salvador at the "Doctor Arturo Zeledón Castrillo" Judicial Training Academy. The event was inaugurated by the Head of the National Judicial Council, Luis Alonso Ramírez Menéndez, and was attended by 30 officials employed in the administration of justice from the Judiciary, the Office of the Prosecutor General, the Office of the Attorney General and the Office of the Ombudsman, among other institutions.

7. Training activities under the project Institutional strengthening of the Inter-American Court of Human Rights to optimize its capacities, of the Swedish International Development Cooperation Agency (SIDA, Phase II)

Paraguay

On November 28 and 29, 2022, in Asunción, Paraguay, the IACtHR held the course on “Control of conventionality, Inter-American System, and principal Case Law lines of the Inter-American Court of Human Rights.” The event was organized by the IACtHR in conjunction with the Human Rights Directorate of the Supreme Court of Justice of Paraguay, and was inaugurated by Alberto Martínez Simón, first Vice President of the Supreme Court of Justice of Paraguay, in exercise of the presidency; Julio César Arriola, Minister for Foreign Affairs, and the President of the IACtHR, Judge Ricardo C. Pérez Manrique.

This training event, which took place as part of the official visit of the President of the IACtHR to Paraguay, was attended by 150 participants, while another 400 took part virtually. Participants included, Judges, and officials from institutions involved in the administration of justice in Paraguay, and from other state institutions involved in the protection of human rights.



Honduras

On December 1, 2022, the Inter-American Court of Human Rights held the course on “Women’s human rights and access to justice” on the premises of the Judicial Academy of Honduras. This training event was attended by 35 personas from the Judiciary, the Public Prosecution Service, the Public Defense Service, the Office of the Attorney General, the National Human Rights Commission, the Human Rights Secretariat, the National Commission for the Prevention of Torture, the Network of Human Rights Defense Lawyers, the Center for Women’s Studies, and the Women for Peace Movement, among other key institutions and organizations for the protection and promotion of women’s rights in Honduras.

8. Activities carried out with the Dialoga Network of Journalists for Human Rights in Latin America and the Caribbean

On February 22, 2022, a discussion was held between journalists of the Dialoga Network and the President of the IACtHR, Judge Ricardo C. Pérez Manrique. On April 5, 2022, the IACtHR's President, Judge Ricardo C. Pérez Manrique, gave a talk on "Challenges in relation to freedom of expression and the Case Law of the IACtHR" in the context of the human rights diploma course for journalists of the Dialoga Network.

On September 30, 2022, the President of the IACtHR, Judge Ricardo C. Pérez Manrique took part in a meeting of the Dialoga Journalists Network in Chile, and on October 7, 2022, Judge Ricardo C. Pérez Manrique held a meeting with journalists in Peru, members of the Dialoga Network of Journalists for Human Rights.

Lastly, on December 2, 2022, the President of the IACtHR conversed with the Dialoga Network of Journalists for Human Rights in Latin America and the Caribbean, Guatemalan Chapter. On that occasion, the President and the journalists discussed the Court's Case Law on freedom of expression.

B. Synchronous and asynchronous virtual training

1. Course: "Legal standards of the Inter-American Court of Human Rights," Center for Constitutional Studies of the Constitutional Court, Peru

From March 1 to 28, 2022, the Inter-American Court of Human Rights imparted the virtual course entitled "Legal standards of the Inter-American Court of Human Rights," organized at the request of the Center for Constitutional Studies of the Constitutional Court of the Republic of Peru. The course consisted of four synchronous presentations and a self-training module in which the participants, including Judges, prosecutors, public defenders, and lawyers, could enhance their knowledge of the Inter-American human rights system, its norms, and the competences of its organs of protection, as well as the principal Case Law standards concerning the control of conventionality and women's rights. The self-training module was composed of seven presentations recorded by the IACtHR's lawyers on issues such as the rights of persons with disabilities, the rights of migrants and refugees, the rights of persons deprived of liberty, and the principles of equality and non-discrimination.

The inaugural presentations were made by the President of the Inter-American Court, Judge Ricardo C. Pérez Manrique, and the Director General of the Center for Constitutional Studies of the Constitutional Court of Peru, Judge Marianella Leonor Ledesma Narváez. 300 people took part in this activity.



2. Course: “Refresher course on the Case Law of the Inter-American Court of Human Rights,” Judicial School, Costa Rica

From June 30 to August 11, 2022, in the context of the course on “Initial Training Program for aspiring members of the Judiciary” of the Judicial Academy of Costa Rica, the Inter-American Court imparted the module on “Protection of human rights” with its “Refresher course on the Case Law of the Inter-American Court of Human Rights.” Around 30 aspiring members of the Costa Rican Judiciary participated in this activity. The training process was composed of three virtual training modules, two synchronous and one asynchronous, in which participants could update and enhance their knowledge of the Court’s Case Law on different matters. This human rights training activity was provided under the collaboration agreement signed between the Inter-American Court and the Lic. Édgar Cervantes Villalta Judicial Academy of the Judiciary of Costa Rica.



3. Course: “The Inter-American Court of Human Rights and its main lines of Case Law,” Superior Court of Justice, Pasco, Peru

On June 6, 2022, the Inter-American Court, together with the Superior Court of Justice of Pasco held a virtual event in which two lawyers from the Court’s Secretariat addressed the main characteristics of the functioning of the Court and some essential lines of its Case Law. There were 261 participants in this training activity.



4. Course: "The international protection of human rights in the Inter-American System and the role of Judges in the twentieth century," Superior Court of Justice of Arequipa, Peru

On October 27 and November 2, 2022, the Inter-American Court, together with the Superior Court of Justice of Arequipa, Peru, gave four virtual presentations on the functions of the Inter-American Court of Human Rights, its main lines of Case Law, control of conventionality, and the role of Judges in the protection of human rights. Lecturers in the course included the President of the IACtHR, Judge Ricardo C. Pérez Manrique, and the President of the Superior Court of Justice of Arequipa, Javier Fernández Dávila Mercado. 78 Judges, officials of the Judiciary, lawyers and law student took part in the activity.

5. Semillero Lationamericano [Latin American youth incubator course]

In order to interest the young people of the region in the work of the Inter-American Court, in 2022, the Court held a second edition of the program entitled "Latin American youth incubator course: making the Inter-American Court of Human Rights accessible to young people" (Semillero LATAM). This program is organized by the Human Rights Center of the Law Faculty at the Universidad de Buenos Aires, the Rule of Law Program for Latin American of the Konrad Adenauer Foundation and the Inter-American Court of Human Rights.

The goal of the Semillero LATAM it to open up opportunities for interaction and work in order to develop a network for collaboration among young university students that contributes to advancing the defense of human rights in the region through knowledge of the functioning of the IACtHR and promotion of the standards established by the Court. In addition, the network will allow students from different parts of the region to remain in contact once they begin their professional activities linked to the promotion and defense of human rights.

More than 400 applications to take part in the program were received from students wishing to learn about the Inter-American human rights system. Following a competitive selection process, 40 students were chosen from different universities of Latin America. The process took into account a balanced distribution from the universities of the region, based on criteria such as nationality, gender, and thematic interests. During the course, various training workshops and meetings were held. Also, the students were supported by tutors who organized different activities and assisted them in the preparation of a final project.

On October 1, 2022, the Court's Deputy Registrar, Romina I. Sijniensky, participated as a speaker in the "Latin American youth incubator course: making the Inter-American Court of Human Rights accessible to young people" organized by the by the Human Rights Center of the Law Faculty at the Universidad de Buenos Aires, the Rule of Law Program for Latin American of the Konrad Adenauer Foundation and the Inter-American Court of Human Rights. She gave a presentation on "Advisory Opinions: their strategic and conceptual relevance." On December 15, 2022, the Registrar of the IACtHR, Pablo Saavedra Alessandri, participated in the closure of the Semillero LATAM.

C. Asynchronous virtual training

1. Course: “Public defense with equity: gender perspectives and intersectionality for an efficient action,” Argentine National Public Defense Service and FLACSO

From September 26 to November 7, 2022, an asynchronous virtual course was held on “Public defense with equity: gender perspectives and intersectionality for an efficient action, A virtual learning and experimentation experience,” organized by the Inter-American Court of Human Rights, the Argentine National Public Defense Service and FLACSO, with the support of the Konrad Adenauer Foundation. There were 21 participants in the course including official public defenders from Argentina, Bolivia, Brazil, Chile, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru and Uruguay. The course was imparted by personnel from the IACtHR Secretariat and the Argentine Public Defense Service.



This was a 30-hour course, distributed over 6 weeks, with 8 online activities relating to hypothetical human rights cases involving women presented in a multimedia format and based on the participants’ workplace. The objective of each activity was to encourage participants to examine cases, explore alternatives, take decisions, and reflect on what their own actions would be if intervening in a case for the Public Defense Service.

The course also provided a wide range of international instruments and Judgments of the Inter-American Court of Human Rights concerning women’s rights from a practical perspective, allowing participants to apply the Inter-American standards as a defense tool.

2. Online self-training courses under the Project: Institutional strengthening of the Inter-American Court of Human Rights to optimize its capacities (SIDA, Phase II)

During 2022, the Inter-American Court prepared three self-training human rights courses that will be uploaded to its webpage for general distribution. As can be seen in the following section, the Court expects to place great emphasis on this method of working in the medium- to long-term. The three virtual self-training courses referred to the following topics:

- Introduction to the Inter-American System of Human Rights and to the Inter-American Court of Human Rights
- Access to and procedure before the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights
- The right to equality and the principle of non-discrimination.

The courses each consist of 10 modules and are designed to provide participants with information on introductory aspects of the Inter-American System of human rights and, in particular, of the Inter-American Court of Human Rights; the characteristics of access to and the procedures before the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights, and the scope and evolution of the Case Law of the Inter-American Court on equality and non-discrimination.

These self-training courses have been designed to become a valuable teaching and dissemination resource for all those who have a basic knowledge in this area and work in the defense and guarantee of human rights. The videos provide a clear and precise explanation of each topic of the course, and include links to supplementary training materials for participants. The Inter-American Court is also preparing a version of each course in English for the English-speaking States of the Caribbean and is working on their translation into Portuguese.

D. Training Center of the Inter-American Court of Human Rights

During 2022, the Court began the conception and creation of a human rights training center. The main objective is to implement an IACtHR training policy using different pedagogical resources, technologies and tools to optimize the training of agents of justice and officials of other institutions, as well as key organizations for the protection of human rights in the States parties. In principle, it will be composed of three elements: one for the production of audiovisual resources that can even be used as the Court's television channel; a virtual training space on the IACtHR website, and physical facilities.

After determining the training center's needs, and the resources required, the first achievement was to obtain international cooperation funding to establish a recording, audio and television set to livestream training events and to record classes and other training resources in high definition. The Court therefore entered into discussions with Swiss cooperation and requested authorization to redirect US\$55,000 from Phase II of the project to the acquisition of professional technological equipment for the production and post-protection of audiovisual material, professional cameras, lights, microphones, audio and computer systems, software licenses for the video editing, and improvements to the current virtual platform. Prior to this, the Court had visited the audiovisual studios of two organizations and held informative meetings on the matter. At the present time, a place is being prepared for the future TV/recording set of the Training Center, which will start operating at the beginning of 2023.

At present, work is also being done on the Center's virtual space, which envisages offering a catalogue of online courses on the different Case Law lines of the IACtHR. In this way, the website of the Training Center will help respond to the growing demands on the Court, and to the massification of the human rights training activities. It is anticipated that, by the end of 2023, this virtual classroom will have 20 online self-training courses. As already mentioned, the recording of the first online self-training courses has started with the assistance of Swedish cooperation, with a view to making them available to the public at the beginning of 2023, and another 18 virtual courses will be recorded thanks to Swiss cooperation between 2023 and the start of 2024.

In future, these two components (the TV/recording set and the virtual classroom on the Court's website) will be supplemented by the physical facilities for which specific funding will be sought. Discussions are underway between the Court and Swiss cooperation which has shown interest in supporting this part of the project. Lastly, and in parallel, the Court will continue to formulate its medium- and long-term training policy.

E. Program of internships and professional visits

The training of the human capital and the facilitation of exchanges of experience is essential for strengthening the Inter-American System of Human Rights. This includes the training of future human rights defenders, public servants, members of the legislature, agents of justice, academics, and members of civil society, among others. It is to this end that the Court has implemented a successful program of internships and professional visits in order to disseminate the work of the Court and the Inter-American Human Rights System.

The program offers students and professionals from the areas of law, international relations, political science, journalism, social communication and similar disciplines, the opportunity to gain experience at the seat of the Inter-American Court of Human Rights, as part of a working group in the legal area of the Secretariat. Also, during the program a series of conferences, seminars and discussions are held with the Court's Judges and lawyers of the IACtHR in order to broaden the knowledge of the participants.

Among other activities, the work consists in researching human rights issues, writing legal reports, analyzing international human rights Case Law, collaborating in the processing of Contentious Cases, Advisory Opinions and Provisional Measures, and the monitoring of compliance with the Court's judgments, and providing logistic assistance during public hearings. Owing to the large number of applicants, selection is very competitive. At the end of the program, the intern or visitor receives a diploma certifying that he or she has successfully completed the internship or visit. The Court is aware of the importance of its program of internships and professional visits in this day and age.

Over the last 17 years, the Court has received a total of 1,040 interns of 43 nationalities at its seat, in particular, academics, public servants, law students, and human rights defenders.

During 2022, the Court was able to resume the program of internships and professional visits for those who had been accepted in 2020, and whose participation was suspended owing to the pandemic. The period from May to August 2022 was held virtually with 16 participants from 10 countries. In-person visits were resumed for the period September to December 2022, and 14 people from 9 countries participated.

In addition, from October 1 to 31, 2022, applications were invited for the periods May to August and September to December 2023. It is worth noting that the number of applicants who responded to this invitation was unprecedented in the history of the program. The form was provided on the Court's website and published on its social networks.

Further information on the program of internships and professional visits offered by the Inter-American Court of Human Rights can be found [here](#).

PROGRAM OF INTERNSHIPS AND PROFESSIONAL VISITS

Period 2005-2022

 **1040** Interns and professional visitors

 **43** Countries on 4 continents different





Publications

XIII. Publications

A. Institutional publications

During 2022, the Inter-American Court worked on the production and edition of 25 new publications. These included institutional texts, such as the proceedings of the Inauguration of the 2022 Inter-American Judicial Year and the volume 40th anniversary of the entry into force of the American Convention on Human Rights and the creation of the Inter-American Court of Human Rights. International Seminar. In addition, six new Bulletins were prepared in the series Case Law Bulletins of the IACtHR, five of which relate to the Case Law of the IACtHR with regard to the countries of the region (Nicaragua, Brazil, Uruguay, Bolivia, Paraguay); eleven Bulletins were updated to 2022 and a start was made to producing the collection in Portuguese with the translation of four Bulletins into that language (in addition to the publication of the new Bulletin on Brazil). Also, two new infographics were prepared and published.

1. Institutional texts

1.1. Inauguration of the 2022 Inter-American Judicial Year²⁷⁷

The Court again prepared and published the proceedings of the Inauguration of the Inter-American Judicial Year, which took place on February 7, 2022. To this end, it coordinated all aspects of the elaboration of the documents, such as their preparation, drafting of sections, editing, revision, submission for printing, and dissemination on the website and social networks of the IACtHR.



This publication includes the presentations made during the ceremony by the Court's former President, Elizabeth Odio Benito; the Minister of Foreign Affairs and Worship of the Republic of Costa Rica, Rodolfo Solano Quirós, and the President of the IACtHR, Ricardo C. Pérez Manrique. It also records the formal installation of the Board for 2022-2023, and the swearing in of the new members of the Court.

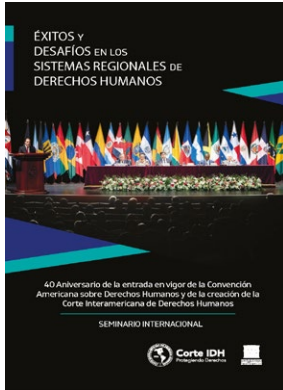
The proceedings were published on October 27, 2022, and disseminated on the social networks of the Inter-American Court of Human Rights.²⁷⁸ In addition, the print version was published in December 2022.

²⁷⁷ Link to the publication: https://www.corteidh.or.cr/sitios/libros/todos/docs/apertura/aj_2022.pdf.

²⁷⁸ Dissemination on social networks: <https://www.facebook.com/photo/?fbid=494425679381678>.

1.2. Successes and challenges in regional human rights systems. 40th Anniversary of the entry into force of the American Convention on Human Rights and the creation of the Inter-American Court of Human Rights. International seminar²⁷⁹

This text, published in conjunction with the Institute for Constitutional Studies of the state of Querétaro (ICECQ), is a record of the international seminar held as part of the activities to commemorate the 40th anniversary of the entry into force of the American Convention on Human Rights and the creation of the Inter-American Court of Human Rights, held from July 16 to 19, 2018, in San José, Costa Rica.



The publication makes available to all those interested, the presentations made during this event, which contain in-depth reflections on the 40 years that the Pact of San José has been in effect, on the work of the Inter-American Court over this period, and on the challenges faced by the regional and universal human rights system. It also includes the Declaration of San José, Costa Rica, signed by the Presidents of the Inter-American Court of Human Rights, the African Court of Human and Peoples' Rights and the European Court of Human Rights, issued to reinforce the collaborative work between the only three regional courts in the world. The digital version of this publication was issued on November 24, 2022, and disseminated by a press release²⁸⁰ and by the social networks of the IACtHR.

2. Case Law Bulletins of the Inter-American Court of Human Rights

The Case Law Bulletins of the IACtHR are an important tool for training and dissemination of the Court's Case Law and are also used as study materials in the increasing number of training activities that the Court offers, and also in the work of various courts, institutions and organizations in the region. In this way, in addition to fulfilling their pedagogic function for the actors, users and other people interested in the Inter-American human rights system, and in access to international justice, they increase the visibility of the Court's work

As has been the custom for several years, a consultant was hired to provide support for some of the publications produced in this series. In such cases, the Court continued efforts to consolidate the editorial line of the series of Bulletins and, in this way, once the texts have been received from the consultant, its team carries out the revision, editing and publication of the texts, based on the editorial guidelines. As a result, it has been possible to gradually standardize and substantially improve both the general design and the internal form and content of the Bulletins. Also, with the support of the Communications and Library teams, they have been published on the webpage specifically set up to this end: <https://www.corteidh.or.cr/publicaciones.cfm> — the design of which has also been greatly improved this year — and were disseminated by press releases on the IACtHR website and its social networks, and by other institutional mechanisms.

During 2022, six new Case Law Bulletins were prepared: one on judicial independence, and five on the Case Law of the IACtHR with regard to one specific country, namely: Nicaragua, Brazil (in Portuguese), Uruguay, Paraguay and Bolivia. Additionally, work was done to translate four Bulletins into Portuguese,

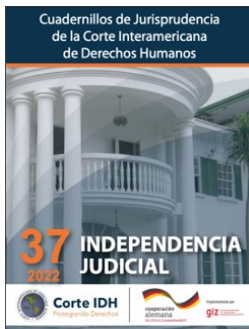
²⁷⁹ Link to publication: <https://biblioteca.corteidh.or.cr/adjunto/38854>.

²⁸⁰ Press release: https://www.corteidh.or.cr/docs/comunicados/cp_83_2022_eng.pdf

thereby expanding their target audience, as well as the reach and impact of these publications. Lastly, eleven Bulletins were updated. This means that the series has been updated to either 2021 or 2022.

2.1. New Case Law Bulletins of the IACtHR

2.1.1. Case Law Bulletin of the Inter-American Court of Human Rights No. 37: Judicial independence, 2022

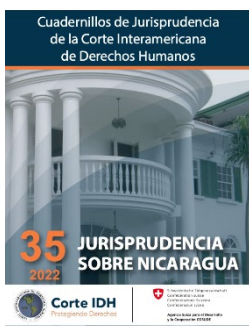


This Bulletin is devoted to the increasingly wide-ranging Case Law of the Court with regard to judicial independence and to the principles applicable to the Public Prosecution Service in the area of irremovability in office, and appraisal and evaluation processes, among other relevant issues. The text includes aspects related to judicial independence, its relationship to the Rule of Law, the right to due process of law, the removal of Judges and justices, impeachment, and political rights. In addition, it reviews the Case Law of the IACtHR on the independence of prosecutors; specifically, the standards for judicial independence applicable to them, the irremovability of provisional prosecutors, and some considerations on removal from office based on appraisal and evaluation processes. Lastly, some of the measures of reparation established by the Inter-American Court in relation to the independence of Judges and prosecutors are systematized.²⁸¹

This Bulletin was published on September 30, 2022, and disseminated by the Inter-American Court's social networks and a press release.²⁸²

2.2 New Case Law Bulletins of the IACtHR with regard to countries

2.2.1 Case Law Bulletin of the Inter-American Court of Human Rights No. 35: Case Law concerning Nicaragua, 2022



This Bulletin addresses the Court's Contentious Case Law with regard to the Republic of Nicaragua. It includes a systematization of the most relevant paragraphs of the Nicaraguan Contentious Cases and addresses matters relating to the competence of the IACtHR and the admissibility of cases; the general obligations to respect and to ensure rights and to adopt domestic legal provisions; the rights to life, personal integrity, judicial guarantees and judicial protection, protection of honor and dignity, and protection of the family, the rights of the child, the right to property, freedom movement and residence, political rights, and equality before the law, among other topics of great relevance.²⁸³

The Bulletin was published on March 22, 2022, and disseminated by the Inter-American Court's social networks and a press release.²⁸⁴

²⁸¹ Link to publication: <https://biblioteca.corteidh.or.cr/adjunto/38635>.

²⁸² Press release: https://www.corteidh.or.cr/docs/comunicados/cp_67_2022_eng.pdf.

²⁸³ Link to publication: https://www.corteidh.or.cr/sitios/libros/todos/docs/cuadernillo35_2021.pdf.

²⁸⁴ Press release: https://www.corteidh.or.cr/docs/comunicados/cp_18_2022_eng.pdf.

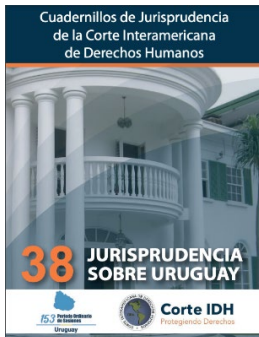
2.2.2. Case Law Bulletin of the Inter-American Court of Human Rights No. 36: Case Law concerning Brazil, 2022



This Bulletin [in Portuguese] was published within the framework of the 150th Regular Session that the Inter-American Court of Human Rights held in Brazil from August 22 to 26, 2022, and its publication constituted a historical occasion because it was the first Case Law Bulletin that the Court of San José had prepared in Portuguese. The publication addresses the Court's Case Law concerning the Federative Republic of Brazil and includes references to the rights to juridical personality, life, personal integrity, the prohibition of slavery and servitude, personal liberty, judicial guarantees and judicial protection, the rights of the child, the right to property of indigenous peoples, the right to equality and non-discrimination, and the economic, social, cultural and environmental rights.²⁸⁵

The Bulletin was published on August 22, 2022, and disseminated by the Inter-American Court's social networks and a press release.²⁸⁶

2.2.3. Case Law Bulletin of the Inter-American Court of Human Rights No. 38: Case Law concerning Uruguay, 2022



This Bulletin was published within the framework of the 153rd Regular Session, which the Inter-American Court of Human Rights held in Uruguay in October 2022. This issue is dedicated to systematizing the Contentious and advisory Case Law of the IACtHR with regard to the Oriental Republic of Uruguay. It incorporates the most relevant paragraphs of the Judgments, Advisory Opinions, and orders on monitoring compliance with Judgment that address the competence of the Court, the acknowledgement of international responsibility, and the general obligations to respect and to ensure rights, and to adopt domestic legal provisions. In addition, it systematizes the decisions of the Inter-American Court that concern Uruguay in relation to the rights to juridical personality, life, personal integrity, personal liberty, judicial guarantees and judicial protection, protection of the family, the rights of the child, the right to nationality, and freedom of movement and residence. Lastly, it includes references to the Case Law on control of conventionality, forced disappearance of persons, women's rights, and reparations.²⁸⁷

The Bulletin was published on October 12, 2022, and disseminated by the Inter-American Court's social networks and a press release.²⁸⁸

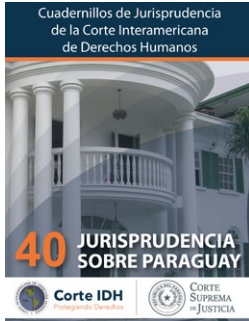
285 Link to publication: https://www.corteidh.or.cr/sitios/libros/todos/docs/cuadernillo36_2022_port1.pdf.

286 Press release: https://www.corteidh.or.cr/docs/comunicados/cp_50_2022_eng.pdf.

287 Link to publication: <https://biblioteca.corteidh.or.cr/adjunto/38697>.

288 Press release: https://www.corteidh.or.cr/docs/https://www.corteidh.or.cr/docs/comunicados/cp_73_2022_eng.pdf.

2.2.4. Case Law Bulletin of the Inter-American Court of Human Rights No. 40: Case Law concerning Paraguay, 2022

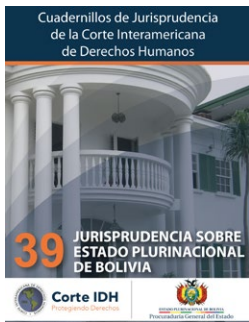


This Bulletin was published in the context of the visit to Paraguay by the President of the Inter-American Court of Human Rights on November 28 and 29, 2022. The issue is dedicated to systematizing the Case Law of the IACtHR concerning the Republic of Paraguay. It was elaborated jointly by the Inter-American Court and the Human Rights Directorate of the Supreme Court of Justice of Paraguay and constitutes a testimony to the collaboration and Case Law dialogue for the protection and guarantee of human rights.

The publication addresses topics relating to the Court's Contentious Jurisdiction, acknowledgement of international responsibility, and the general obligations to respect and to ensure rights and to adopt domestic legal provisions. It also includes measures of reparation and extracts from Provisional Measures issued by the Inter-American Court with regard to the Paraguayan State.²⁸⁹

The Bulletin was published on November 28, 2022 and disseminated by the Inter-American Court's social networks and a press release.²⁹⁰ It was also presented in the course held by the IACtHR in the auditorium of the Supreme Court of Justice of Paraguay on November 28 and 29, 2022.

2.2.5. Case Law Bulletin of the Inter-American Court of Human Rights No. 39: Case Law concerning Bolivia, 2022



This Bulletin was dedicated to the Court's Contentious Case Law concerning the Plurinational State of Bolivia. It was prepared jointly by the Office of the Prosecutor General of Bolivia and the Inter-American Court of Human Rights. The publication addresses matters relating to the Court's jurisdiction and the admissibility of cases, and also the general obligations to respect and to ensure rights and to adopt domestic legal provisions. It also reviews the different lines of the Court's Case Law in cases involving Bolivia as well as the measures of reparation established by the Inter-American Court.²⁹¹

The Bulletin was published on December 6, 2022, and disseminated by the Inter-American Court's social networks and a press release.²⁹²

289 Link to publication: <https://biblioteca.corteidh.or.cr/adjunto/38869>.

290 Press release: https://www.corteidh.or.cr/docs/comunicados/cp_85_2022_eng.pdf.

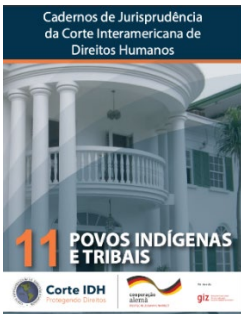
291 Link to publication: <https://biblioteca.corteidh.or.cr/adjunto/38870>.

292 Press release: https://www.corteidh.or.cr/docs/comunicados/cp_94_2022_eng.pdf.

2.3. Start of a series of IACtHR Case Law Bulletins in Portuguese

Thanks to German cooperation, implemented by GIZ, the Inter-American Court of Human Rights was able to initiate a series of Case Law Bulletins in Portuguese. During 2022, five Bulletins were published in Portuguese: the aforementioned text on Brazil and the translations of the Bulletins summarized below.

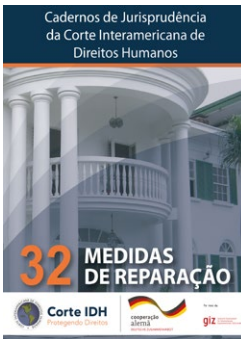
2.3.1. Case Law Bulletin of the Inter-American Court of Human Rights No. 39: No. 11: Indigenous and Tribal Peoples [in Portuguese]



This publication corresponds to the Portuguese translation of the Bulletin on indigenous and tribal peoples updated to 2021. It initiates the series in Portuguese for all those interested and, especially, for nationals of the Federative Republic of Brazil. The text includes the Court's decisions on general matters concerning the rights of indigenous and tribal peoples and, also, particularities of the interpretation of the different rights established in the American Convention. Lastly, the reparations ordered in the corresponding cases are systematized.²⁹³

The Bulletin was published on May 9, 2022, and disseminated by the Inter-American Court's social networks and a press release.²⁹⁴

2.3.2 Case Law Bulletin of the Inter-American Court of Human Rights No. 32: Measures of reparation [in Portuguese]



This publication corresponds to the Portuguese translation of the Bulletin on measures of reparation, updated to 2021, which compiles the most relevant decisions of the IACtHR in relation to measures of reparation established under Article 63(1) of the American Convention. The Bulletin sets out general aspects of integral reparation that must be taken into consideration to fully understand the scope of the measures adopted by the IACtHR starting with its first judgment, as well as the principal measures relating to restitution, rehabilitation, compensation, satisfaction, guarantees of non-repetition, and those relating to the duty to investigate human rights violations.²⁹⁵

The Bulletin was published on August 25, 2022, and disseminated by the Inter-American Court's social networks and a press release.²⁹⁶

293 Link to publication: https://www.corteidh.or.cr/sitios/libros/todos/docs/cuadernillo11_2022_port.pdf.

294 Press release: https://www.corteidh.or.cr/docs/comunicados/cp_26_2022_eng.pdf.

295 Link to publication: https://www.corteidh.or.cr/sitios/libros/todos/docs/cuadernillo32_2022_port.pdf.

296 Press release: https://www.corteidh.or.cr/docs/comunicados/cp_53_2022_eng.pdf.

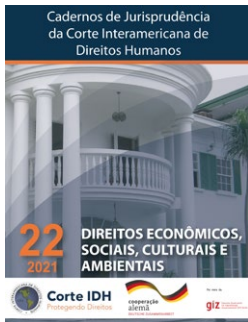
2.3.3. Case Law Bulletin of the Inter-American Court of Human Rights No. 4: Women's human rights [in Portuguese]



This publication corresponds to the Portuguese translation of the Bulletin on women's human rights updated to 2021, which is dedicated to gender issues, specifically to the situation of women and their treatment in Inter-American Case Law. Thus, it sets out the decisions in which the IACtHR has examined general aspects related to women, as well as how the Inter-American Court has addressed the violation of specific rights established in the American Convention. In addition, it includes measures of reparation that include a gender perspective that the Court has established in such cases.²⁹⁷

The Bulletin was published on October 20, 2022, and disseminated by the Inter-American Court's social networks and a press release.²⁹⁸

2.3.4. Case Law Bulletin of the Inter-American Court of Human Rights No. 22: Economic, Social, Cultural and Environmental Rights [in Portuguese]

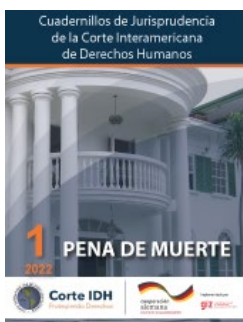


This publication corresponds to the Portuguese translation of the Bulletin on economic, social, cultural and environmental rights (ESCER), updated to 2021, which sets out general aspects related to those rights, such as their principles and their relationship to the prohibition of discrimination, and their connection to other rights established in the Convention. In addition, it analyzes thematic areas that have been addressed by the IACtHR, and includes a section on the evolution of the Court's Case Law in relation to Article 26 of the American Convention on Human Rights. Lastly, it describes the measures of reparation that the IACtHR has established in relation to the violation of the ESCER.²⁹⁹

The Bulletin was published on December 12, 2022, and disseminated by the Inter-American Court's social networks and a press release.³⁰⁰

2.4. Case Law Bulletins of the IACtHR updated to 2022

2.4.1. Case Law Bulletin of the Inter-American Court of Human Rights No. 1: The death penalty



This Bulletin, updated to 2022, systematizes the Inter-American Court's Case Law related to the issue of the death penalty. The first part sets out general aspects related to the death penalty; including the discussions concerning the interpretation of Article 4 of the American Convention and the reservations made to the Convention in this regard. The second part give special attention to the way in which the Inter-American Court - based on an analysis of the death penalty and the circumstances in which it is applied – has declared that different rights established in the American

297 Link to publication: <https://biblioteca.corteidh.or.cr/documento/68695>.

298 Press release: https://www.corteidh.or.cr/docs/comunicados/cp_75_2022_eng.pdf.

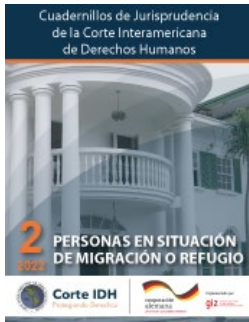
299 Link to publication: <https://biblioteca.corteidh.or.cr/adjunto/38939>.

300 Press release: https://www.corteidh.or.cr/docs/comunicados/cp_99_2022_eng.pdf.

Convention have been violated, such as the rights to life, personal integrity, and due process. Lastly, it describes different measures of reparation that the IACtHR has established in such cases.³⁰¹

The Bulletin was published on December 13, 2022 and disseminated by the Inter-American Court's social networks and a press release.³⁰²

2.4.2. Case Law Bulletin of the Inter-American Court of Human Rights No. 2: Migrants and refugees or asylum seekers



This Bulletin updates the Case Law of the Inter-American Court with regard to migrants and refugees or asylum seekers, with the decisions issued by the Court up to 2022. First, it includes orders where the IACtHR has addressed basic concepts on this issue, the vulnerability experienced by migrants, and considerations on equality and non-discrimination. Then it systematizes the way in which the Court – based on an analysis of the circumstances in which migrants exercise their rights – has declared that various rights of the American Convention have been violated. Lastly, it describes some measures of reparation that the IACtHR has established in such cases.³⁰³

The Bulletin was published on December 13, 2022, and disseminated by the Inter-American Court's social networks and a press release.³⁰⁴

2.4.3. Case Law Bulletin of the Inter-American Court of Human Rights No. 3: Displaced persons



This Bulletin refers to the situation of displaced persons in Inter-American Case Law up to 2022. The publication includes general aspects examined by the Court in relation to the situation of displaced persons. In addition, it sets out the way in which the IACtHR, based on an analysis of the circumstances in which displaced persons exercise their rights, has declared that various rights of the American Convention have been violated. It also describes the way in which the Court has addressed this issue in relation to certain holders of rights, such as indigenous peoples, women and children. Lastly, it lists some measures of reparation established in such case.³⁰⁵

The Bulletin was published on December 13, 2022, and disseminated by the Inter-American Court's social networks and a press release.³⁰⁶

301 Link to publication: https://biblioteca.corteidh.or.cr/engine/download/blob/cidh/168/2022/49/68690_2022.pdf?app=cidh&class=2&id=38871&field=168.

302 Press release: https://www.corteidh.or.cr/docs/comunicados/cp_100_2022_eng.pdf.

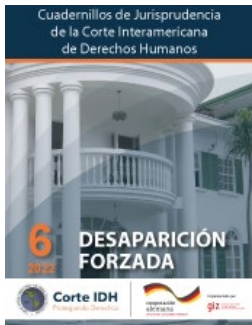
303 Link to publication: https://biblioteca.corteidh.or.cr/engine/download/blob/cidh/168/2022/49/68692_2022.pdf?app=cidh&class=2&id=38872&field=168.

304 Press release: https://www.corteidh.or.cr/docs/comunicados/cp_100_2022_eng.pdf.

305 Link to publication: https://biblioteca.corteidh.or.cr/engine/download/blob/cidh/168/2022/49/68694_2022.pdf?app=cidh&class=2&id=38873&field=168.

306 Press release: https://www.corteidh.or.cr/docs/comunicados/cp_100_2022_eng.pdf.

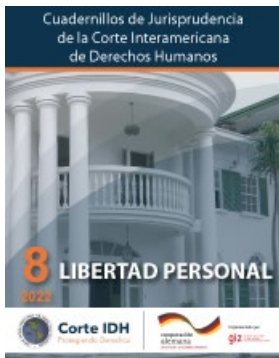
2.4.4. Case Law Bulletin of the Inter-American Court of Human Rights No. 6: Forced disappearance



This Bulletin, updated to 2022, addresses the issue of the forced disappearance of persons, emphasizing the evolution of the Court's Case Law on the special characteristics of this human rights violation. To this end, it systematizes the principal Case Law criteria on the nature and characteristics of such human rights violations and the way in which the forced disappearance of persons violates diverse rights of the victims and also of the members of their family. In addition, it compiles criteria on the obligations of the State in relation for the forced disappearance of persons and list some measures of reparation established in this regard.³⁰⁷

The Bulletin was published on December 13, 2022.³⁰⁸

2.4.5. Case Law Bulletin of the Inter-American Court of Human Rights No. 8: Personal liberty



This Bulletin, updated to 2022, addresses the right to personal liberty in Inter-American Case Law. To this end, it includes the most relevant paragraphs from Contentious Cases and Provisional Measures that the Court has examined from 2010 onwards. Special emphasis has been placed on the evolution of the Court's Case Law on the meaning and scope of this rights; particularly, with regard to its restriction. In addition, it describes the Convention-based requirements to guarantee that any detention is in keeping with international human rights standards. Lastly, in the updated version a section containing some relevant measures of reparation has been added.³⁰⁹

The Bulletin was published on December 13, 2022, and disseminated by the Inter-American Court's social networks and a press release.³¹⁰

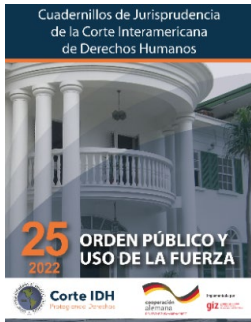
On November 29, 2022, the consultant forwarded the final six updated Bulletins to the IACtHR; three of these have already been published while the other three are being edited prior to their publication and dissemination through the institutional channels. The final updated Bulletins are as follows:

307 Link to publication: https://biblioteca.corteidh.or.cr/engine/download/blob/cidh/168/2022/49/68697_2022_1.pdf?app=cidh&class=2&id=38897&field=168

308 Press release: https://www.corteidh.or.cr/docs/comunicados/cp_100_2022_eng.pdf

309 Link to publication: https://biblioteca.corteidh.or.cr/engine/download/blob/cidh/168/2022/49/68699_2022.pdf?app=cidh&class=2&id=38898&field=168

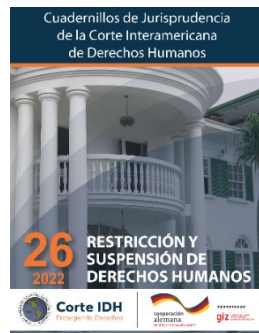
310 Press release: https://www.corteidh.or.cr/docs/comunicados/cp_100_2022_eng.pdf



2.4.6. Case Law Bulletin of the Inter-American Court of Human Rights No. 25: Public order and the use of force

This Bulletin, updated to 2022, is dedicated to the issue of public order and the use of force within the framework of the American Convention on Human Rights. It sets out the decisions in which the IACtHR has examined the right of Assembly, in both its general aspects and in the exercise of this right by Judges in moments of democratic crisis. It also systematizes the issue of the use of force placing special emphasis on the relationship between the use of forces and social protest. In addition, it refers to rights that are related to public order and the use of force. Lastly, it reviews specific measures of reparation related to public order and the use of force.³¹¹

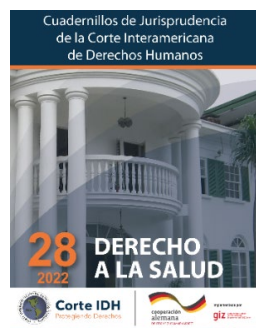
The Bulletin was published on December 21, 2022, and disseminated by the Inter-American Court's social networks and a press release.³¹²



2.4.7. Case Law Bulletin of the Inter-American Court of Human Rights No. 26: Restriction and suspension of human rights

This Bulletin, updated to 2022 addresses the restriction and suspension of rights within the framework of the American Convention on Human Rights. To this end, it refers to the decisions in which the IACtHR has dealt with the legitimate restriction of human rights, both the general aspects, and those specific aspects related to the rights and freedoms that permit this restriction. It also discusses the issue of the suspension of human rights within the framework of the American Convention, as well as the Court's Case Law on rights that cannot be suspended and those that can be suspended, and pays special attention to the minimum judicial guarantees in constitutional states of emergency and the guarantee of the right to habeas corpus.³¹³

The Bulletin was published on December 21, 2022, and disseminated by the Inter-American Court's social networks and a press release.³¹⁴



2.4.8. Case Law Bulletin of the Inter-American Court of Human Rights No. 28: Right to health

This Bulletin, updated to 2022, is dedicated to the right to health in Inter-American Case Law. To this end, it describes general aspects related to the ESCER, such as its principles and its relationship to the prohibition of discrimination (relevant to the right to health). It then reviews the Court's Case Law concerning the right to health in both its content and scope and some specific innovations in the Case Law of the IACtHR. It also refers to the link between the right to health and other well-established rights recognized in the Convention, and the thematic areas related to this right that the Court has examined. Lastly, it describes the measures of reparation ordered in relation to the violation of the right to health.³¹⁵

The Bulletin was published on December 21, 2022, and disseminated by the Inter-American Court's social networks and a press release.³¹⁶

311 Link to publication: <https://biblioteca.corteidh.or.cr/adjunto/38987>.

312 Press release: https://www.corteidh.or.cr/docs/comunicados/cp_105_2022_eng.pdf.

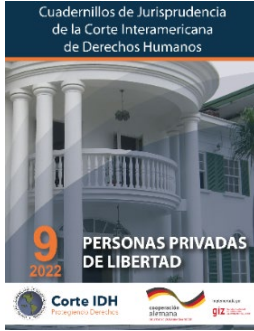
313 Link to publication: <https://biblioteca.corteidh.or.cr/adjunto/38988>.

314 Press release: https://www.corteidh.or.cr/docs/comunicados/cp_105_2022_eng.pdf.

315 Link to publication: <https://biblioteca.corteidh.or.cr/adjunto/38989>.

316 Press release: https://www.corteidh.or.cr/docs/comunicados/cp_105_2022_eng.pdf.

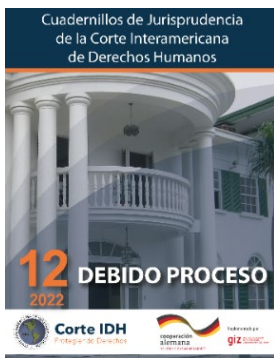
2.4.9. Case Law Bulletin of the Inter-American Court of Human Rights No. 9: Persons deprived of liberty



This Bulletin, updated to 2022, is dedicated to the situation of persons deprived of liberty in Inter-American Case Law. It systematizes the Contentious Cases, Advisory Opinions, and Provisional Measures in which the IACtHR has addressed this issue, its rulings on the content and scope of the rights involved, the State obligations, and the restrictions of rights. It sets out general aspects that should be observed in detention centers, as well as the particularities with regard to certain groups deprived of liberty, such as women, children and adolescents; the treatment that persons deprived of liberty should receive; the limitations to the use of force, and the right to personal integrity. In addition, it reviews judicial guarantees in relation to persons deprived of liberty, the presumption of innocence, and the right to habeas corpus. Lastly, some measures of reparation are included.

The Bulletin is at the final editing stage and will be published in the first half of January 2023.

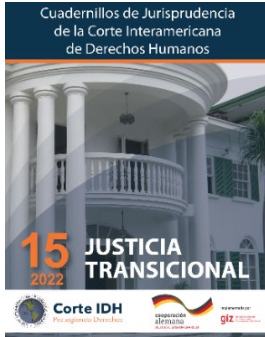
2.4.10. Case Law Bulletin of the Inter-American Court of Human Rights No. 12: Due process



This Bulletin, updated to 2022, is dedicated to the most recent and relevant Case Law of the IACtHR in relation to the right to due process, recognized in Article 8 of the American Convention. It sets out general aspects related to the right to judicial guarantees, such as their concept, scope and relationship to other rights, including access to justice. In addition, it systematizes the general guarantees contained in Article 8(1) of the Convention, such as the rights to be heard, to be tried by an independent, impartial and competent Court, and to obtain a reasoned decision. Then, it describes the specific guarantees contained in paragraph 2 of Article 8, placing special emphasis on the content of the right of defense, amply developed by the IACtHR. Lastly, it refers to the measures of reparation that the IACtHR has ordered in relation to the violation of the right to judicial guarantees.

The Bulletin is at the final editing stage and will be published in the first half of January 2023.

2.4.11. Case Law Bulletin of the Inter-American Court of Human Rights No. 15: Transitional justice



This Bulletin, updated to 2022, addresses the issue of transitional justice in the Case Law of the IACtHR. To this end, the most relevant paragraphs of the contention cases in which the Court has examined this wide-ranging issue have been extracted, placing special emphasis on the advances in the Court's Case Law with regard to the characteristics of peacemaking processes, the transition to democracy, and democratic consolidation. It refers to issues related to truth, justice, reparations and institutional reform. Also, in this updated version, a section has been added on some relevant measures of reparation in this regard.

The Bulletin is in the final stages of editing and will be published in the first half of January 2023.

B. Infographics

In recent years, the IACtHR has created and published infographics on some of its decisions in order to reach a wider public in an accessible manner, especially those who do not have a legal training or in-depth knowledge of human rights. The infographics are instruments that represent, graphically and visually, the main aspects of the Court's judgments and Advisory Opinions, combining different elements of image and text that summarize and simplify the decisions of the IACtHR, so that they may be easily understood. These publications are addressed at an audience that does not follow the Inter-American Court regularly, and supplement other publications – such as the institutional publications and Case Law Bulletins – that are evidently addressed at a highly specialized audience.



In order to produce these publications, the Inter-American Court the IACtHR works with the Instituto de Estudios Constitucionales de Querétaro (IECEQ), Mexico. To prepare this material, the International Cooperation Team prepares summaries of the cases and send this information to the IECEQ, which is responsible for designing and assembling the infographics.

During 2022, two infographics were made available to the public: the first, on the Case of Bedoya Lima et al. v. Colombia,³¹⁷ was published on February 2, 2022, and the second, on the Case of Vera Rojas v. Chile,³¹⁸ was published on August 10, 2022. Both infographics were disseminated on the social networks of the IACtHR.

317 Link to publication: https://www.corteidh.or.cr/sitios/libros/todos/docs/Infografia_Bedoya_Lima.pdf.

318 Link to publication: <https://www.corteidh.or.cr/sitios/libros/todos/docs/infografia-verarojas.pdf>.



Communications

XIV. Communications

During 2022, the Inter-American Court continued its communications strategy to bring its work closer to the people. Pro-active communication by the Inter-American Court has led to greater understanding by the general population of member States of the impact of the Court's Case Law on their daily lives. In addition to improving the existing outreach channels, the Court has strengthened permanent communication with the region's journalists by the creation of a network (the DIALOGO Network), which now consists of more than 6,000 communicators in the region who regularly receive and share information on the work of the Court.

In order to increase the dissemination of information and to create opportunities for direct dialogue with journalists, **17 in-person, virtual or hybrid meetings were held with journalists** from Argentina, Chile, Costa Rica, Guatemala, Mexico, Nicaragua, Paraguay, Peru, Trinidad and Tobago, United States of America and Uruguay. In each meeting, the President of the Court, accompanied by one of the judges and the Head of Communications and Press, was able to converse directly with journalists concerning Case Law developments on freedom of expression.

During 2022, an essential aspect of the Court's innovations in communications was the establishment of public "Acts of Notification" of judgment with the participation of the parties that are transmitted by the Court's social networks. This allows for a greater dissemination and participation of the press in the process of the notification of a judgment.

The Court has also reinforced various channels of communication with the general public by active participation on social networks, such as Facebook, Twitter, Instagram, LinkedIn, and YouTube, and this has allowed the Court to reach more than 1.5 million followers, expanding the range of its message.

In addition, the Court has increased its communications in English and Portuguese by translating its press releases, as well as by the creation of social networks with content in both languages. During 2022, it launched the Portuguese website of the Inter-American Court.

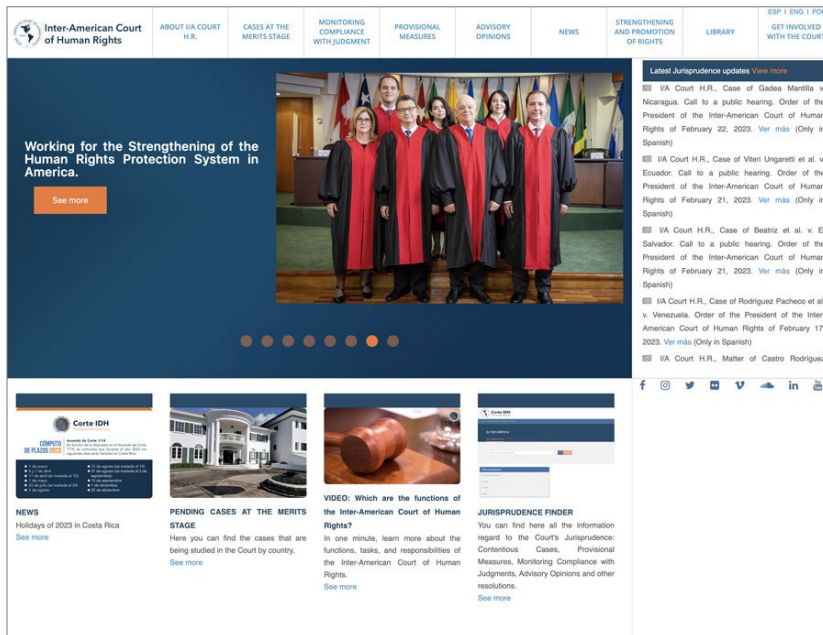
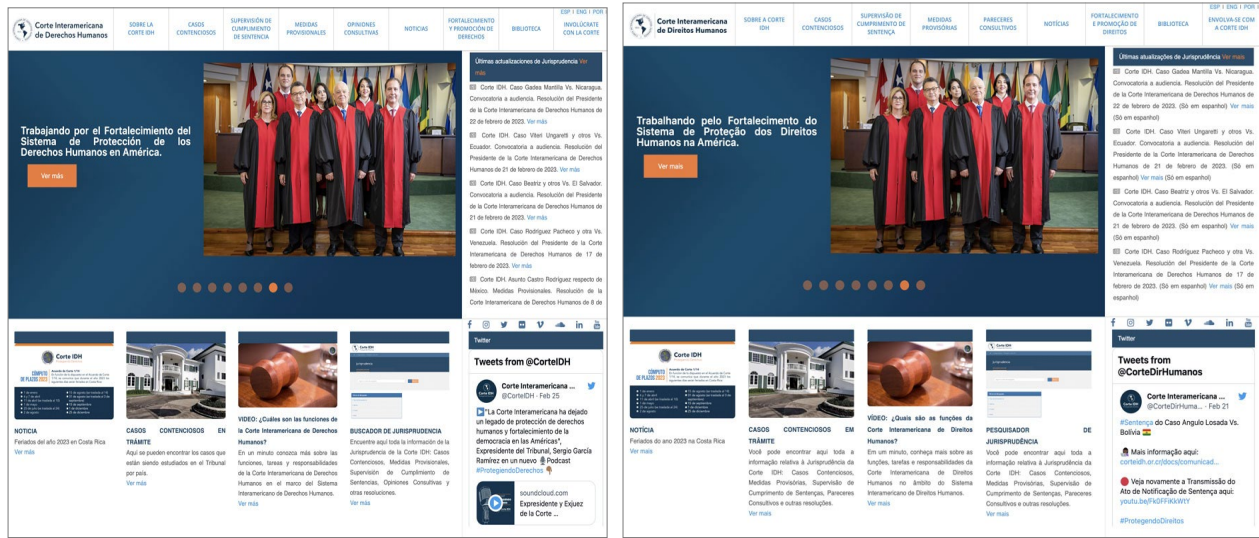
In the context of implementing the Communications Plan, two editions of the diploma course on human rights for journalists were held and this allowed more than 160 journalists, from among more than 3,000 applicants, to take part in a training course on issues related to the functioning of the Inter-American human rights system and, especially, of the IACtHR. The journalists received training imparted by the Court's judges and lawyers on the Court's Case Law on topics such as gross human rights violations, freedom of expression, violence against women, migrants, discrimination based on sexual orientation, indigenous communities, the economic, social, cultural and environmental rights, and reparations for human rights violations.

Furthermore, the Court has also worked on the creation of audiovisuals, infographics and reports that present in a simple didactic manner both the range of the Court's work, and also the impact of its Case Law on people's daily lives.

As a result of these actions and others described below, communications have become a key component to support the Inter-American Court's work.

A. The website of the Inter-American Court in Spanish, English and Portuguese

New website. During 2022, the Inter-American Human Rights Website was consolidated. The Spanish version can be visited at: www.corteidh.or.cr, the English version at <http://www.corteidh.or.cr/index.cfm?lang=en>; and the Portuguese version at <https://www.corteidh.or.cr/index.cfm?lang=pt>.



The Case Law is presented via an interactive map on which the actions of the Inter-American Court in each country that has ratified the American Convention on Human Rights can be consulted.

Cases Map by Country



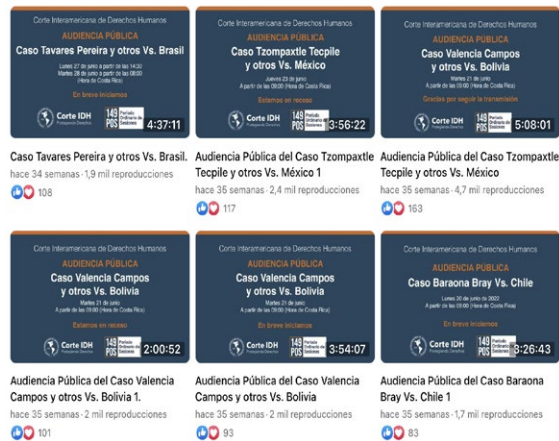
The website also has audiovisual contents so that, by the use of non-technical language, everyone can understand the different functions of the Inter-American Court. These contents include subtitles for the videos and explanatory audio guides for persons with any type of disability.



Audiovisual reports on the cases decided by the IACtHR and that are now at the stage of monitoring compliance with Judgment are also published on the new website.

B. Acts of Notification of Judgments

An essential aspect of the Court's innovations in communication during 2022 was the establishment of public "Acts of Notification" of Judgment with the participation of the parties that are transmitted by the Court's social networks. This allows for a greater dissemination and participation of the press in the process of the notification of a Judgment.



C. Multilingual communications in Spanish, English and Portuguese

Currently, the content of the website, press releases, social network content, and institutional newsletters are provided in Spanish, English and Portuguese.

Making a permanent effort, the Court continues to update the Special Database on Human Rights, classified by country and type of audience, with more than 65,000 contacts globally to date who, among other publications, receive press releases, and the newsletter.

The Newsletter "Protecting Rights" (Spanish, English, Portuguese) is distributed to specialized audiences on issues of human rights around the world. To date, three editions have been published.



Corte Interamericana de Derechos Humanos celebró su 149 Período Ordinario de Sesiones

La Corte Interamericana celebró del 13 de junio al 1 de julio de 2022 su 149 Período Ordinario de Sesiones.

Durante el Período se deliberaron tres Sentencias y se realizaron cinco audiencias públicas de Casos Contenciosos. Asimismo, el

Corte Interamericana de Derechos Humanos celebró 65 Período Extraordinario de Sesiones

La Corte Interamericana celebró entre el 25 y el 27 de julio de 2022 su 65 Período Extraordinario de Sesiones. La Corte sesionó en forma virtual con la antigua composición de la Corte que continuó con el conocimiento y deliberación del Caso Integrantes y Militantes de la Unión

D. Educational communications and Case Law dissemination campaigns

The Project #Datos #DerechosHumanos has been implemented, in which, the work of the IACtHR and its Case Law are explained using Infographics and Videographics.

In addition, 53 specific dissemination campaigns on the Case Law of the Inter-American Court have been conducted on its social networks.

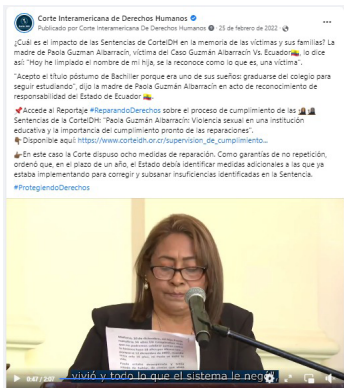


The Court has produced animated videos that present, in a simple didactic manner, different basic aspects of the work and functioning of the Inter-American Court of Human Rights. The contents are created based on the principal inquiries received by the Court.



E. Series of reports on redressing rights

The Court continues working on the series of micro reports #ReparandoDerechos that compile the testimony of individuals and organizations involved in cases at the stage of monitoring compliance with Judgment using micro testimonial videos and reports. The reports have already been translated into Portuguese and will be incorporated into the website in that language.



F. Interaction using the Inter-American Court's social networks

The Court also makes active use of the social networks to disseminate its activities, and this allows the Court to interact with users of the Inter-American System in an efficient and dynamic manner.

The Court has active accounts on Twitter, Facebook, Instagram, YouTube, LinkedIn, WhatsApp, SoundCloud, and Academia, among others. The number of followers of these networks has continued to increase and it has therefore been necessary to increase the production of specific content for the networks such as videos, graphics, infographics, podcasts, etc.

At the end of 2022, the Twitter account in Spanish had 615,000 followers; 37,300 followers more than the previous year. In addition, the Facebook account ended 2022 with 684,000 followers; 9,000 more than the previous year.

Youtube recorded an increase of 9,100 subscribers, ending 2022 with 21,400 new members subscribed to the channel. The Instagram account ended the year with 54,800 followers; 12,100 more than the previous year.

SoundCloud has reached a total of 751 followers through the podcast. Furthermore, the year saw an increase of 7,881 followers for the LinkedIn network in relation to the previous year, with a total of 12,773 followers.

These figures reveal that the public is extremely interested in reading the Inter-American Court's publications and sharing their content. These publications relate to all this Court's numerous activities, and include press releases, judgments handed down and orders issued, livestreaming of hearings, and academic activities.

The Court has been able to explain the range of its Case Law in simple language, and provide information on its other activities by increasing the production of content for social networks and creating specific material for them.

The livestreaming on social networks of public hearings and other similar content has allowed the Court to increase its interaction with the general public of different countries. The livestreaming of the Inter-American Court's activities on all its platforms reaches around 1.3 million persons.

SOCIAL MEDIA 2022

Twitter 



510.318

Spanish

160,308 followers+

5.916

English

2.581

Portugue-

313

French

Twitter is the only account in the 4 official languages of the Inter-American Court.

Facebook 



685.000

From January to December 2022, the Facebook page grew by **147,515** followers compared to 2019.

YouTube 



21.400

The YouTube account was opened in 2020, and from January to December 2022 it experienced steady growth.

Instagram 



54.700

From January to December 2022, the Instagram page grew by **48,200** followers compared to 2021

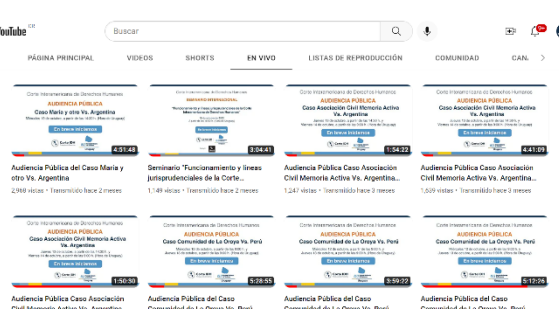
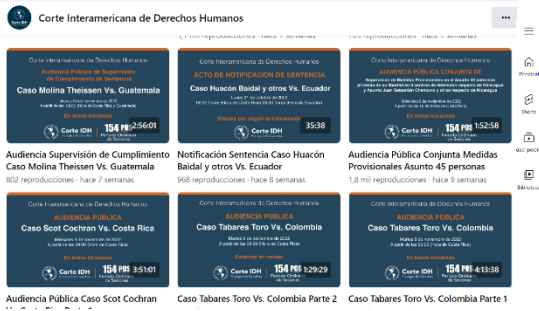
LinkedIn 



12.773

LinkedIn has seen growth over the previous period.

The public hearings of the IACtHR have been held virtually and livestreamed on its social networks: Twitter, Facebook, and YouTube, reaching hundreds of thousands of people.



The Court has produced the Podcast #ProtegiendoDerechos with information on its Case Law and its activities, and this is distributed via the Court’s social networks.

During 2021, 33 podcast chapters were broadcast on SoundCloud and Spotify.



G. DIALOGA Network and Diploma Course for Journalists

In order to maintain constant communication with the region's journalists, the Court has created the **#DIALOGA Journalists Network with more than 6,000 journalists** in Latin America and the Caribbean who are connected by information on issues linked to the work of the IACtHR in the region.

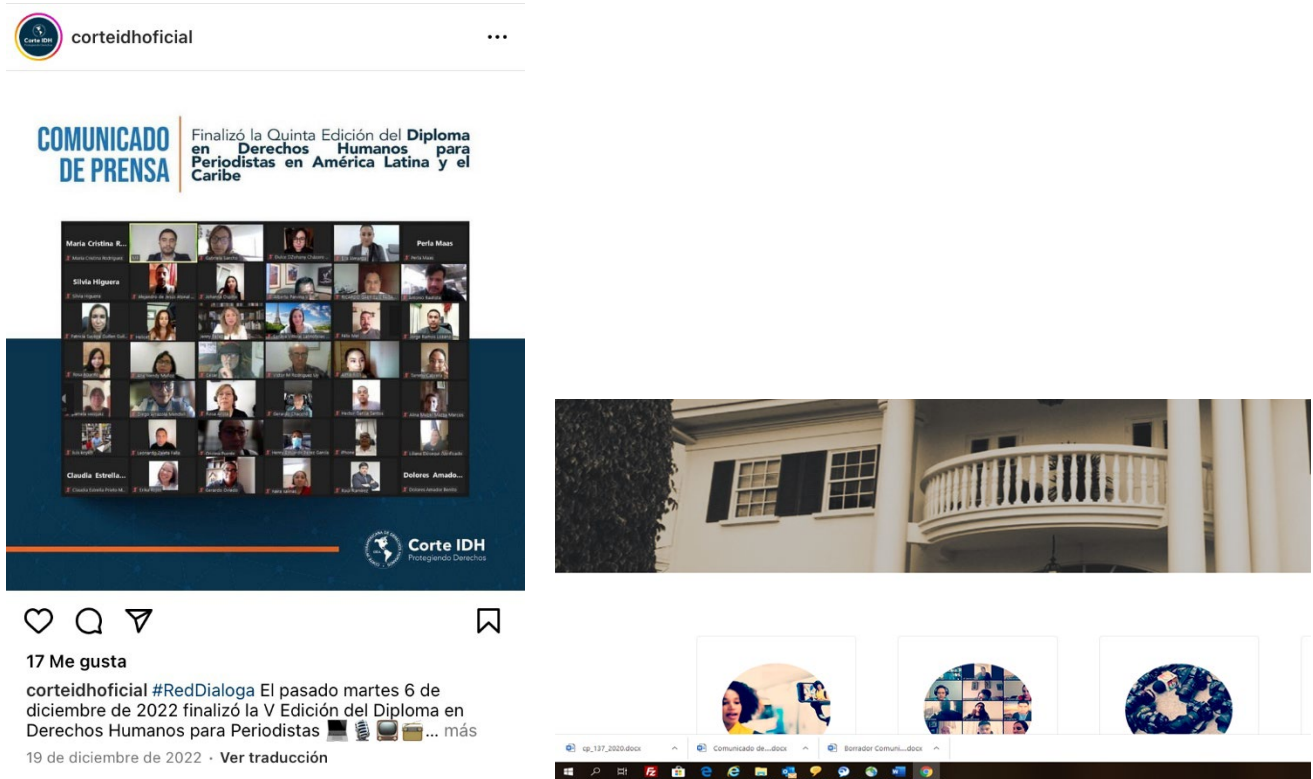


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Furthermore, the fifth and sixth editions of the diploma course on “Human Rights for Journalists” were held with the participation of 140 selected journalists. The Court’s Judges, and also lawyers from the Court’s Secretariat took part in the course.



In addition, the Court has established an Investigative Journalism Grant. For its second edition, three journalists from Latin American and the Caribbean were selected and they will carry out investigative journalism relating to the Case Law of the Inter-American Court.

H. Channels for attending the general public

As part of a policy of transparency and access to public information, the Court has established several mechanisms for attending to the general public including, in particular, the CORREO INFO, and the messenger services of the social networks MESSENGER, INSTAGRAM and WHATSAPP. Using these channels, it answers inquiries and requests for information. During 2022, it answered more than 7,000 inquiries and request from the general public.



Agreements and relations with other entities

XV. Agreements and relations with other entities

A. Agreements with national and international entities

The Court signed framework cooperation agreements with various national and international entities under which the signatories agreed to carry out the following activities, inter alia: (i) organize and implement training events, such as congresses, seminars, conferences, academic forums, colloquiums and symposiums; (ii) provide specialized internships and professional visits by national officials to the seat of the Inter-American Court of Human Rights; (iii) conduct joint research activities; (iv) make available to the national entities the Inter-American Court's advanced human rights search engine on human rights.

- Argentine Prosecutors' Association, Argentina
- Getulio Vargas Foundation, Brazil
- National Training Academy for Labor Judges, Brazil
- Judicial Academy of the Regional Labor Court of the 14th Region, Brazil
- National Lawyers' Professional Association, Panama
- Public Defense Service of the Union, Brazil
- Brazilian Lawyers' Association, Brazil
- Federation of Journalists of Latin America and the Caribbean (FEPALC)
- Superior Court of Justice of Junín, Peru
- Association of Paraguayan Judges, Paraguay
- Public Defense Ministry, Paraguay
- Parliamentary Committee for the Uruguayan Prison System, Uruguay

B. Agreements with universities

The Court signed agreements and framework cooperation agreements with a series of academic establishments under which the signatories agreed to carry out the following activities, inter alia: (i) organization of congresses and seminars, and (ii) professional practicums for officials and students of those institutions at the seat of the Inter-American Court of Human Rights.

- Universidad Nacional de Mar del Plata, Law Faculty, Argentina
- Instituto Brasileiro de Ensino, Desenvolvimento e Pesquisa (IDP), Brazil
- Universidad Técnica de Ambato, Ecuador
- IE Law School, Madrid, Spain
- Tecnológico de Monterrey, Mexico



Library, archives and databases

The Department of Management of Information and Knowledge, which consists of the Archives and the Library, provides essential services for the digital processing of files, and also information services for the preparation of draft judgments, Advisory Opinions and orders, as well as academic activities. In addition, it provides support to the national and international researchers who visit the Court each day, in person and virtually.

XVI. Library

Founded in 1981, the Library is an information unit. It has a collection of specialized documents on human rights, international law, international humanitarian law and different branches of law. It subscribes to important databases, and attends and responds to in-person and virtual inquiries using the new information and communication technologies.

A. Digital Library

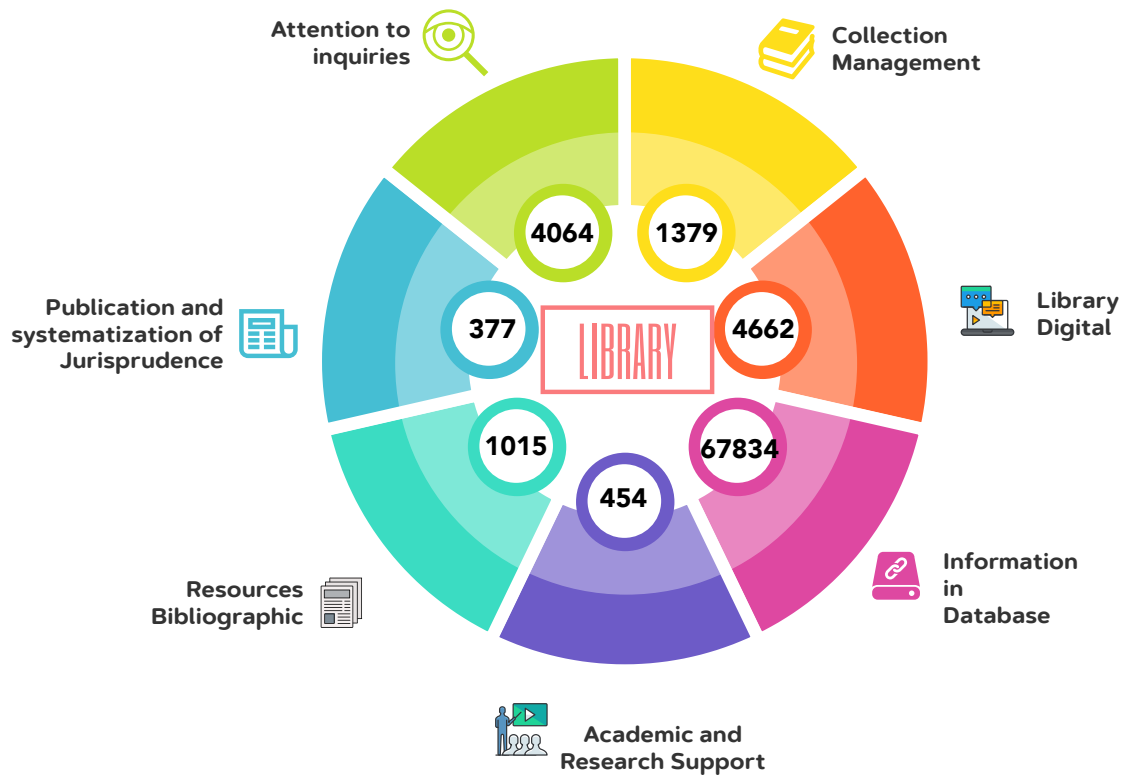
Created in September 2021, the Digital Library has more than 900 full-text digital resources, designed to make reading the documents easier and more accessible. The options available for digital readers include functions such as bookmarking, adding personal notes, navigation with dynamic index, word search and page position, integrated dictionary, and the possibility of sharing extracts.

To date, the **Digital Library** has received 1,013 site visits. It has 1,036 registered users, and has responded to 2,000 inquiries.

Also, in order to publicize the most recent acquisitions and new bibliographical material, the Digital Library publishes the newsletter “DerHum Literary News” every week. This electronic publication is distributed by email to almost 12,000 subscribers around the world. During 2022, 49 newsletters were prepared with detailed information on, and access to, 294 bibliographic resources.

In this context, the Digital Library has also acquired specialized databases such as: HeinOnline, Netherlands Quarterly of Human Rights, Human Rights Law Review and Tirant Latam, available on our: [Website](#).

The Library in figures



● Collection management

The development and management of the collection implies a broad knowledge of the specialized legal subject matter, the needs of the users, as well as the accessibility and availability of each resource (selection, acquisition, analysis, systematization and updating).

● Digital Library

The Digital Library's bibliographic collection consists of 900 full-text books; it has received a total of 1013 visits to the site. received a total of 1013 visits to the site; there are 1036 registered users; 2000 queries have been answered and 772 books are being read.

● Information in Database

The Library has increased the quality and quantity of its bibliographic resources, in printed, digital and electronic formats; each resource is processed and analyzed according to international standards of cataloging, indexing and document classification. In addition to making use of controlled language tools such as the Subject Heading Lists and the Specialized Human Rights Thesaurus.

● Academic and Research Support

During the year, logistical and bibliographic support was provided for 7 courses offered in the IACHR Court's virtual learning environment. Processed 28 appeals before the ISBN-ISSN Agency; 5 induction and dissemination talks. 294 documents reviewed in 49 bulletins.

● Specialized Bibliographic Resources

The Library has increased the quantity and quality of its computer and bibliographic resources. Our catalog has 38068 specialized resources analyzed and systematized.

● Publication and systematization of Jurisprudence

During 2022, we continued with the publication of the different resolutions issued by the Court, in addition to information on pending cases. This publication is made in our catalog and in parallel in the new platform with intelligent technology that will support the investigative work with more timely results.

● Consultation Services

The Library has different communication channels and specialized personnel to attend and resolve queries, as well as access to our specialized collection and different databases.

Figure 1. Library statistics. Source: prepared by the author.

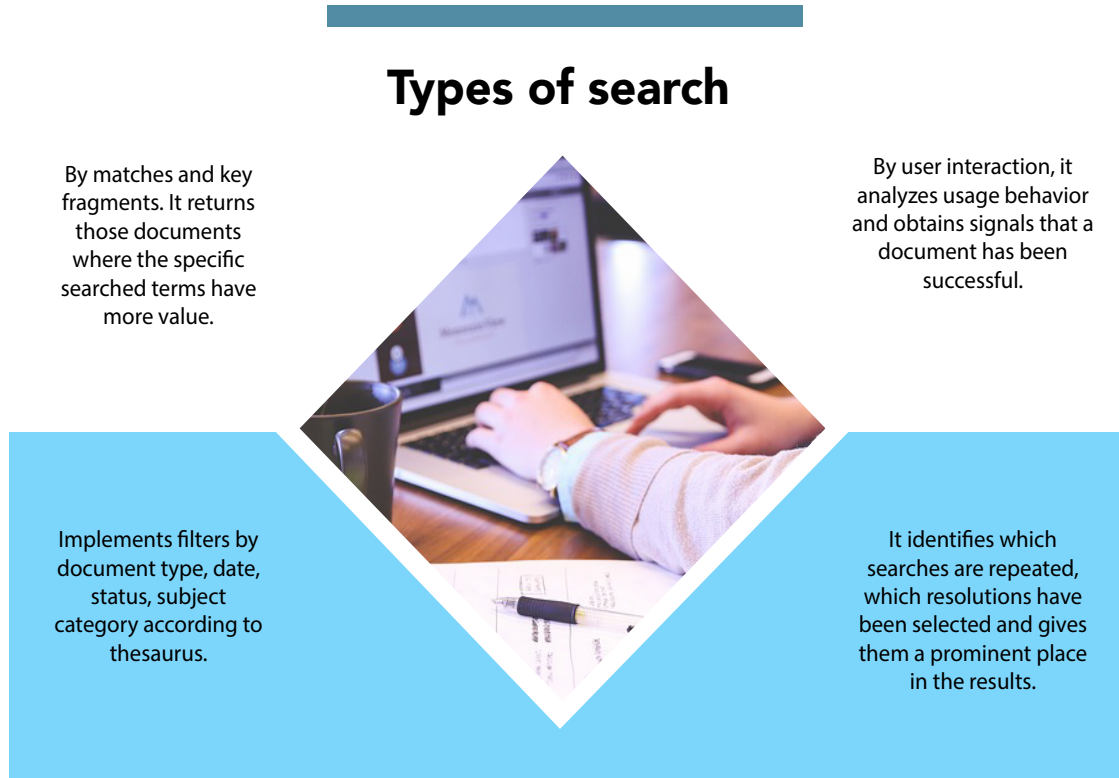


Figure 3. Types of search. Source: prepared by the author.

B. Archives

In 2013, the Archives department was created under the project for the internal electronic processing of briefs presented to the Court, as a result of the 2009 amendments to the Rules of Procedure, and the decision to use digital files. This provides the parties to the Inter-American human rights system and its users with access to processing, communication and dissemination procedures in order to facilitate communications between the Court and the different actors in its proceedings, and to expedite procedures by use of the new technologies.

The Archives department has assumed the process of digitalizing briefs received by regular mail, in addition to digitalizing and revising pre-2014 inactive files. It is also responsible for publishing the principal briefs in Contentious Cases on the Court's website. In this context, and as a result of the digitalization processes to preserve the judicial memory and documentary heritage of the Court, it has acquired a virtual server to safeguard and systematize 329 judicial files of closed cases.

Together with the Legal Area, it has developed a Case File Protocol aimed at standardizing the procedures for the creation, maintenance, use and conservation of the Court's case files. The rules established in this protocol have led to the standardization of practices for preservation of physical and digital files,

protection of the confidentiality of the personal and private information of the parties involved in the cases, and improvements in access to information.

The archive in figures

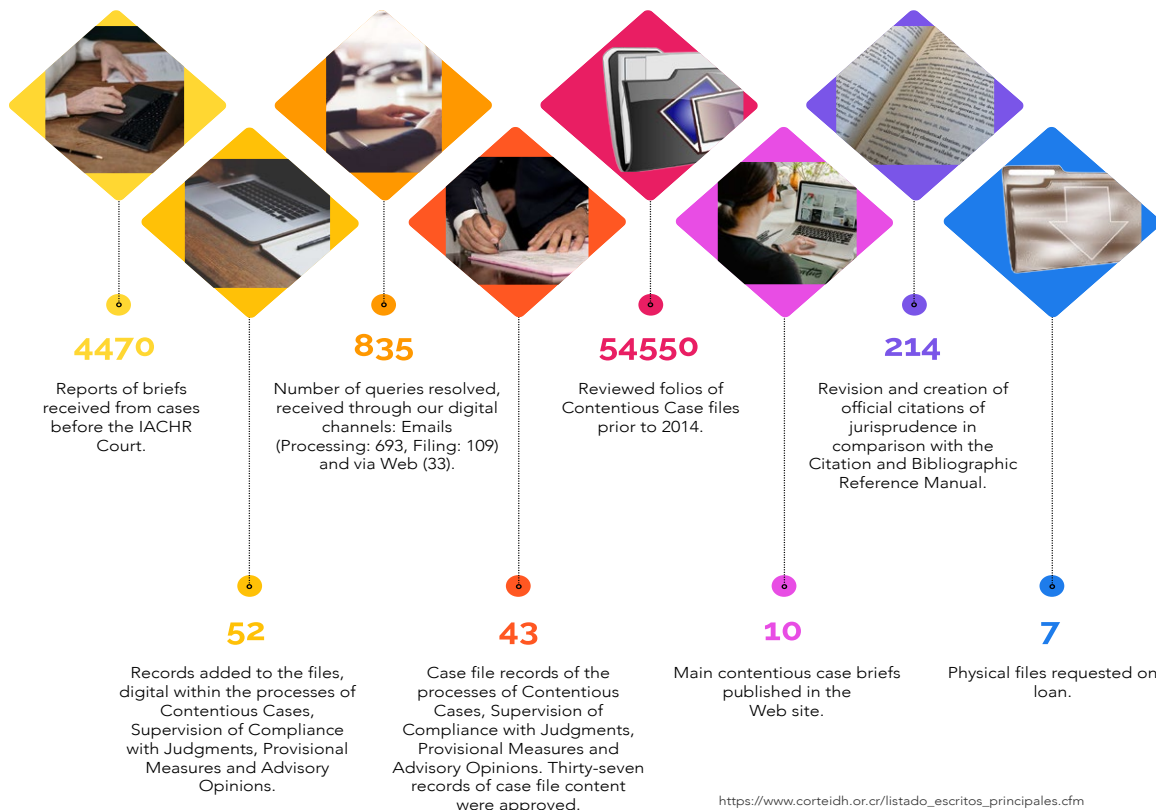


Figure 2. The Archives Department statistics. Source: prepared by the author.

C. Themis Digest

German cooperation implemented by GIZ, through their DIRAJus program, provides technical cooperation for the development and updating of the Digest. The Digest is conceived as a public document containing all the legal rulings of the Inter-American Court of Human Rights (IACtHR) in relation to the different articles of the American Convention on Human Rights (ACHR). The rulings are arranged by legal concept, ranging from the most abstract to the most specific, in light of the respective interpretation of the IACtHR.

The purpose of the Digest is to facilitate access to the norms of the ACHR in light of the Case Law of the IACtHR, and to identify the contribution made by the Court's judgments to the specific interpretation of an article of the ACHR. Each Digest has a table of contents and the sources are cited in the footnotes. This tool is constantly being updated and expanded. Currently, Digests have been produced for Articles 1, 2, 4, 5, 6, 8, 15, 16, 19, 21, 24, 25, 26 and 29 of the American Convention on Human Rights.

The Themis Digest can be accessed [here](#).



Reinforcement of the institutional policy on sexual and workplace harassment

XVII. Reinforcement of the institutional policy on sexual and workplace harassment

The Inter-American Court of Human Rights has made a firm and clear commitment to prevent and, if applicable, not to tolerate any type of harassment, which constitutes an act contrary to human dignity. Accordingly, it is constantly endeavoring to take all necessary steps to generate and reinforce a hospitable, healthy and respectful working environment, free of improper conduct and any form of discrimination.

As part of this institutional policy, the Inter-American Court has taken new measures in this regard and has adopted new internal Regulations on conflict resolution for the prevention and elimination of all forms of sexual and workplace harassment, which have been in force since July 10, 2020. The purpose of the Regulations is to prohibit and prevent sexual and workplace harassment and, as appropriate, to sanction this and adopt the necessary corrective measures.

The Regulations establish a conflict resolution system that takes into account the interests of the parties in disagreement, promotes constructive dialogue, achieves improved collaboration in the workplace, and manages any conflicts that arise appropriately, recommending options to resolve problems and grievances related to sexual and workplace harassment and, in certain cases, the adoption of the required corrective measures. To this end, the Regulations establish the mechanism of the “Counselor” who is the person delegated to conduct the informal conflict resolution procedure. They also create the Sexual and Workplace Harassment Committee responsible for substantiating any complaints of sexual or workplace harassment under the formal procedure established in the Regulations.

Furthermore, aware that the prevention of sexual and workplace harassment is an essential component of the measures that the IACtHR must take, compulsory training and awareness-raising activities will be held on a regular basis for everyone, whether or not they are members of the Court’s staff. The purpose of these activities is to create awareness of zero tolerance for any type of sexual and workplace harassment within the Court, to promote a better understanding of what constitutes workplace harassment, to provide guidance on the Regulations and the corresponding procedures, and also to encourage the creation of an open and harmonious working environment. These activities will be organized by the Working Environment Committee which, among other functions, was created to initiate, coordinate and follow up on the implementation of the preventive and proactive measures established in the Regulations.

The training and awareness-raising activities will be mandatory for everyone to whom the Regulations apply, whether or not they are members of the Court’s staff. Therefore, this includes interns and visiting professionals, visitors, translators, interpreters, consultants and anyone who is subcontracted.

Information regarding the Regulations on Sexual and Workplace Harassment

1. General training for all the Court's staff

The Court's staff attended a training and awareness-raising workshop on the Regulations of the Inter-American Court of Human Rights on conflict resolution for the prevention and elimination of all forms of sexual and workplace harassment.

To improve results, the staff of the Inter-American Court were divided into three groups of approximately 25 persons each to facilitate increased interaction and participation in the workshops and so that each group would receive, in addition to general information, information in keeping with their functions and responsibilities. Each group took part in three 2.5 to 3-hour sessions, for a total of eight hours training. The sessions took place between June 29 and August 15, 2021.

2. Self-training course

The self-training course which resulted from the activities conducted during 2021 has been available since October 20, 2021, and currently operates on the Evol Campus platform of the IACtHR, based on which training is provided to everyone who comes to work at the Court and to participants in the program of professional visits and internships.

From November 2021 to the end of 2022, 55 people completed the self-training course.

3. Internal communications and newsletters

As an example of the continued commitment of the Working Environment Committee to promote an environment free of any kind of harassment in the IACtHR, as well as to enhance the organizational climate, each month during the first two years that the new Regulations were in effect, the Committee emailed officials communications and newsletters with information and tools to increase their awareness of the Regulations, and increase communication and interaction between everyone.

4. Leadership workshop

Following the general training workshops on the Regulations offered to all the Court's staff, it was recommended that the Working Environment Committee examine the matter further with the heads of departments who have staff working under them. Consequently, in 2022, the Committee offered a training workshop to those occupying management and coordination functions within the organization to develop and reinforce their skills and capabilities to manage working teams and interpersonal communications efficiently through positive leadership and within a harmonious working environment.



Officials of the Inter-American Court of Human Rights

XVIII. Officials of the Inter-American Court of Human Rights

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Deputy Registrar

Romina I. Sijniensky

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Alexei Julio Estrada

Director of Administration and Finance

Arturo Herrera Porras

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Bruno Rodríguez Reveggino
Auxiliadora Solano Monge
Julio César Cordón Aguilar
Rita Lamy Freund
Ariana Macaya Lizano
Astrid Orjuela Ruíz
Ana Lucía Ugalde Jiménez
Ana Belém García Chavarría
Natalia Castro Niño
Bernardo Pulido Márquez
Paloma Núñez Fernández

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Adolfo Lara Aguilar
Romina Troconis Naranjo
Shashira Douglas Clayton
Natalia Oviedo Rodríguez
Juan Pablo Solano Pochet
Amanda Solano de la O
Paula Pastor Cordero
Valeria Rodríguez Quesada
Jimena Rueda Ledezma
Manrique Naranjo Chavarría
María Andrea Vargas Araujo

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Marlyn Campos Vásquez
Sandra Lewis Fisher
Paula Cristina Lizano Carvajal
Yerlin Tatiana Urbina Álvarez
Tatiana Villalobos Rojas

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Celeste Salomé Novelli
Laura Villalta Herrera
Mariana Castillo Rojas

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Maryorie Subero Martínez
Cynthia Castillo Solís
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