

**ORDER OF THE PRESIDENT OF THE
INTER-AMERICAN COURT OF HUMAN RIGHTS
OF JULY 3, 2020**

**REQUEST FOR ADVISORY OPINION OC-27
SUBMITTED BY THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS**

HAVING SEEN:

1. The request for an advisory opinion submitted to the Inter-American Court of Human Rights (hereinafter "the Inter-American Court" or "the Court") by the Inter-American Commission on Human Rights (hereinafter "the Commission") on July 31, 2019, on the "Scope of the obligations of the States, under the inter-American system, in relation to the guarantees of freedom of association, their relationship to other rights and application from a gender perspective." The Commission appointed Commissioner Margarete May Macaulay and the Special Rapporteur on Economic, Social, Cultural and Environmental Rights (REDESCA), Soledad García Muñoz, as delegates for this request.

2. The notes of the Secretariat of the Court (hereinafter "the Secretariat") of October 14, 2019, in which, in accordance with Articles 73(1) and 73(2) of the Court's Rules of Procedure (hereinafter "the Rules of Procedures"), it communicated to all the Member States of the Organization of American States (hereinafter "the OAS"), the OAS Secretary General, and the President of the OAS Permanent Council, that the President of the Court, in consultation with the Court, had set January 15, 2020, as the deadline for the submission of written observations on this request. Also, the notes of the Secretariat of January 14, 2020, extending the said period until April 13, 2020, which was notified to all those mentioned above.

3. The notes of the Secretariat of October 14, 2019, and the publication on the Court's website, in which, pursuant to Article 73(2) and 73(3) of the Rules of Procedure, the President invited all interested parties to present their written opinions on the points submitted for consultation and advised that January 15, 2020, had been set as the deadline for this purpose. Also, the Secretariat's notes of January 14, 2019, and the publication on the Court's website advising that the said period had been extended until April 13, 2020.

4. The Court's decisions 1/20 and 2/20 of March 17, 2020, and April 16, 2020, respectively, and their publication on the Court's website, by which it was determined to suspend all deadlines from March 17 to May 20, 2020, because numerous countries in the region were affected by the disease known as COVID-19, classified by the World Health Organization as a global health emergency.

5. The briefs in which the following States submitted their written observations: 1) Argentine Republic; 2) Plurinational State of Bolivia; 3) Republic of Costa Rica; 4) Republic of El Salvador; 5) Republic of Honduras; 6) Republic of Nicaragua, and 6) Republic of Panama.

6. The briefs in which the following regional bodies and international organizations submitted their written observations: 1) the Inter-American Commission on Human Rights; 2) the Inter-American Commission of Women; 3) the Working Group to Analyze the National Reports of the Protocol of San Salvador (GTPSS); 4) the United Nations High Commissioner for Human Rights, Geneva, and 5) the International Labor Organization (ILO).

7. The briefs in which the following non-governmental organizations, academic institutions, and individuals from civil society submitted their written observations: 1) Public Services International (PSI); 2) International Trade Union Confederation / the American Federation of Labor and Congress of Industrial Organizations AFL-CIO; 3) Confederación Latinoamericana y del Caribe de Trabajadores Estatales (CLATE); 4) Asociación Colombiana de Aviadores Civiles (ACDAC); 5) Asociación Nacional de Empleados Públicos y Privados (ANEP); 6) Asociación de Abogados Laboralistas; 7) Cámara Colombiana de Comercio Electrónico; 8) Sindicato Nacional de Trabajadores de la Educación (SNTE); 9) Central Única dos Trabalhadores; 10) Confederación de Trabajadores de Venezuela; 11) Asociación de Profesores de Segunda Enseñanza; 12) Asociación Latinoamericana de Abogados Laboralistas (ALAL); 13) Unión Nacional de Empleados de la Caja y la Seguridad Social (UNDECA); 14) Agrupación Nacional de Empleados Fiscales; 15) Confederación Latinoamericana de Trabajadores del Poder Judicial (CLTPJ); 16) Ministério Público do Trabalho; 17) Comisión de Derechos Humanos de la Ciudad de México; 18) Centro de Estudios de Derecho e Investigaciones Parlamentarias de la Cámara de Diputados del Congreso de la Unión de los Estados Unidos Mexicanos; 19) Clínica de Derecho Laboral y Seguridad Social de la Facultad de Derecho de la Pontificia Universidad Católica del Perú; 20) Bonavero Institute of Human Rights, Faculty of Law, University of Oxford; 21) Academia Interamericana de Derechos Humanos; 22) Comisión Colombiana de Juristas (CCJ); 23) Clínica Interamericana de Direitos Humanos de la Universidade Federal do Rio de Janeiro; 24) Red de Profesoras y del Programa Género y Derecho de la Facultad de Derecho de la Universidad de Buenos Aires; 25) Centro de Estudios en Derechos Humanos de la Facultad de Derecho de la Universidad Nacional del Centro de la Provincia de Buenos Aires y el Observatorio de Derecho Internacional Humanitario de la Facultad de Derecho de la UBA; 26) Centro de Investigación Científica Aplicada y Consultoría Integral (CICACI); 27) Clínica de Direitos Humanos e Direito Ambiental da Universidade do Estado do Amazonas e o Grupo de Pesquisa Direitos Humanos na Amazonia; 28) Akahatá – Equipo de trabajo en sexualidades y géneros; 29) Asociación de Abogadas Feministas de Chile (ABOFEM); 30) Asociación de Mujeres Meretrices de Argentina (AMMAR); 31) Ciudadanos del Mundo por Derechos Humanos; 32) Corporación Centro de Interés Público y Justicia; 33) Département des sciences juridiques, Faculté de science politique et de droit, Université du Québec à Montréal; 34) Instituto Internacional de Responsabilidad Social y Derechos Humanos (IIRESODH); 35) Desarrollo Gradual Directo, A.C.; 36) Cátedra de Derechos Humanos "A" de la Facultad de Derecho y Ciencias Sociales de la Universidad Nacional de Tucumán; 37) Instituto Autónomo de Occidente; 38) Cátedra de Derechos Humanos y Garantías de la Universidad de Congreso; 39) Semillero de Litigio ante Sistemas Internacionales de Protección de Derechos Humano de la Facultad de Derecho de la Universidad de Antioquia; 40) Grupo "3C" de la Escuela Libre de Derecho de México; 41) Estudiantes de la Universidad EAFIT; 42) Héctor Pedro Recalde; 43) Joaquín Ignacio Mogaburu, Natalia Julieta Assalone y Siro de Martini; 44) Quetzalli Cruz Sosa; 45) Ángel

Iván González Rodríguez; 46) Manuel Fernando García Barrios; 47) Daniel Valverde Mesén, and 48) Carlos Javier Spaventa Domenech.

CONSIDERING THAT:

1. The Court's Secretariat received numerous briefs with observations and relevant documents on the request for an advisory opinion within the established time frame (*supra* having seen paragraphs 5 and 6).
2. Given the advisory nature of this matter, those OAS Member States that have not submitted written observations on this matter may present their oral arguments during the public hearing, if they consider this appropriate.
3. The written observations of students and professors of the Centro Universitário Antônio Eufrásio de Toledo de Presidente Prudente were presented on June 16, 2020. The President notes that these observations were submitted one day after the time frame had expired. However, given the nature of this matter, since it is not a contentious case but rather an advisory procedure, the right of defense is not affected. Therefore, to allow the Court to take into account all the contributions received, the incorporation of the said brief into this procedure concerning a request for an advisory opinion is exceptionally authorized.
4. The Court finds it desirable to hold the oral procedure established in Article 73(4) of the Rules of Procedure, and that the Inter-American Commission, the Member States, and those who submitted their written observations present their oral arguments. Due to the exceptional circumstances caused by the COVID-19 pandemic, this oral procedure will be held virtually.

THEREFORE:

THE PRESIDENT,

pursuant to the provisions of Articles 24(1) of the Statute of the Court and 73(4) of the Court's Rules of Procedure, and in exercise of her authority under Article 31(2) of the latter,

DECIDES:

1. To convene a public hearing to be held virtually on July 27, 28, 29, 30 and 31, 2020, starting at 8.30 a.m., Costa Rican time, during the Court's 135th regular session, in order to receive oral arguments on the request for advisory opinion OC-27 presented by the Inter-American Commission.
2. To request the Inter-American Commission on Human Rights, the Member States, and those who have submitted written observations to indicate, by July 9, 2020, whether they wish to participate in the hearing called by the President, and to advise the Secretariat of the names of the persons who will be participating in the hearing. In this regard, a maximum of two persons may participate for each delegation. Therefore, in

the same communication, the Secretariat should be advised of the names of the persons who will make the oral comments virtually during the hearing, indicating their respective email addresses and contact telephone numbers. The delegations will be advised of the technical and logistical aspects in due course, together with the specific day and hour of the participation of each delegation.

3. To require the Secretariat of the Inter-American Court to notify this order to the Inter-American Commission, the Member States of the Organization of American States, all the organs referred to in Article 73(1) of the Rules of Procedure, and all those who submitted written observations on this request for an advisory opinion.

Elizabeth Odio Benito
President

Pablo Saavedra Alessandri
Secretary

So ordered,

Elizabeth Odio Benito
President

Pablo Saavedra Alessandri
Secretary