

Press Release

Inter-American Court of Human Rights

I/A Court H.R._PR-129/2020 English

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I/A Court H.R. Protecting Rights

EL SALVADOR HELD IN COMPLIANCE IN CASE OF COLINDRES SCHONENBERG

San Jose, Costa Rica, November 25, 2020. - Under the terms of the Court's order for Monitoring Compliance with Judgment, handed down on November 18, 2020, El Salvador is held to have fully satisfied all measures of redress ordered in the February 4, 2019 Judgment. The Inter-American Court therefore decided to close the case and have it archived. More information can be found [here](#) on the February 4, 2019 Judgment and [here](#) on the November 18, 2020 order declaring the case closed (both in Spanish only).

On February 4, 2019, the Inter-American Court of Human Rights handed down a Judgment declaring that the State of El Salvador was internationally liable for violating the right to a fair trial, the right to judicial protection, the right to hold a position under conditions of equality, the obligations to respect and guarantee rights and the obligation to adopt provisions of domestic law, in injury of Eduardo Benjamín Colindres Schonenberg. These breaches were committed when Mr. Colindres Schonenberg was arbitrarily dismissed from his position as a tenured judge on the Supreme Court of Elections in July, 1998. The victim was removed from his job by a body that was not competent to do so, in the absence of any previously established procedure. Nor did he have access to effective recourse to guarantee judicial protection. The Court also held that the civil process for damages lodged by Mr. Colindres Schonenberg had been marked by excessive delay, as the harm produced by the first removal from his position had taken place in November, 1996.

The Court therefore found that El Salvador had violated: (i) article 8(1) of the American Convention on Human Rights, in conjunction with articles 1(1), (2) and 23(1)(c) thereof, owing to the process of dismissal applied to Mr. Colindres Schonenberg; (ii) articles 8(1) and 25 of the American Convention, in conjunction with article 1(1) thereof, because the motions for constitutional relief (*amparo*) filed following the second dismissal of Mr. Colindres Schonenberg was ineffective, and (iii) violation of article 8(1) of the American Convention, in conjunction with article 1(1) thereof, by exceeding any reasonable time period in the civil process for damages.

Because of these breaches, the Court in its Judgment ordered the State to carry out the following measures of redress: i) publish and disseminate the Judgment of the Inter-American Court and its official summary, and ii) pay the amounts stipulated in the Judgment as redress for pecuniary and nonpecuniary damage.

Monitoring Compliance

During the stage of monitoring compliance, the Court declared in its [Order on November 22, 2019](#) that El Salvador had fully complied with measures to publish and disseminate the Judgment and its official summary. A subsequent decision, [Order on November 18, 2020](#) recognized full compliance with the payment of damages and declared that the case was to be archived in view of the full compliance with all measures of redress ordered in the Judgment.

The Judges sitting on the Court for the Order of November 18, 2020, were: Judge Elizabeth Odio Benito, President (Costa Rica); Judge L. Patricio Pazmiño Freire, Vice president (Ecuador), Judge Humberto Antonio Sierra Porto (Colombia); Judge Eduardo Ferrer Mac-Gregor Poisot (Mexico); Judge Eugenio Raúl Zaffaroni (Argentina), and Judge Ricardo Pérez Manrique (Uruguay). Judge Eduardo Vio Grossi did not take part, for reasons beyond his control.

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