

Press Release

Inter-American Court of Human Rights
I/A Court H.R._PR-74/2023 English

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INTER-AMERICAN COURT OF HUMAN RIGHTS HELD ITS 162nd REGULAR SESSION IN COLOMBIA



San José, Costa Rica, October 18th, 2023.- From October 9th to 13th, 2023, the Inter-American Court of Human Rights held in Colombia its 162nd Regular Session, at the invitation of the State.

The President of the Inter-American Court, Judge Ricardo C. Pérez Manrique, expressed that "holding this Regular Session of the Inter-American Court in Colombia was a great opportunity to create a better understanding of the Court's work among the Colombian population. The public activities also created a space for exchange and participation for anyone interested in human rights."

In a joint press conference with the President of the Inter-American Court, the President of the Republic of Colombia, Gustavo Petro, stated: "I welcome the Inter-American Court of Human Rights. Our government will comply with all judgments of the Court, as is our duty in pursuit of a just society. The American Convention on Human Rights and other Human Rights treaties are part of our Constitution and must be fully adhered to."

During the Regular Session in Colombia three Public Hearings on Contentious Cases, five Private Hearings on Monitoring Compliance with Judgment and a Public International Seminar were held.

The Inter-American Court of Human Rights would like to thank the Ministry of Foreign

Affairs of Colombia, the Ombudsman's Office of Colombia, the Special Jurisdiction for Peace (SJP) and Universidad Externado for the support in holding this Regular Session. Moreover, we would like to thank the cooperation of Spain and Sweden, whose financial support was key to hosting this Regular Session.

I. Opening Ceremony of the 162nd Regular Session in Colombia



On Monday October 9th, 2023, the Opening Ceremony of the 162nd Regular Session was held at the Ministry of Foreign Affairs of Colombia.

Judge Ricardo C. Pérez Manrique, President of the I/A Court H.R.; Álvaro Leyva Durán, Minister of Foreign Affairs of the Republic of Colombia; Diana Fajardo Rivera, President of the Constitutional Court of Colombia; Fernando Castillo Cadena, President of the Supreme Court of Justice of Colombia; Jaime Enrique Rodríguez Navas, President of the Council of State of Colombia; Aurelio Enrique Rodríguez Guzmán, President of the Superior Council of the Judiciary; Néstor Iván Osuna, Minister of Justice and Law of the Republic of Colombia; Roberto Carlos Vidal, President of the Special Jurisdiction for Peace and Martha Lucía Zamora, Director of the Agency for Legal Defense of the State participated in the opening ceremony.

The recording of the Opening Ceremony can be accessed [here](#).

The opening Speech of the President of the Inter-American Court can be accessed [here](#).

II. International Seminar: 75 years after the American Declaration and 45 years after the American Convention on Human Rights: Achievements and challenges



On Monday October 9th, 2023, the international seminar **"75 years after the American Declaration and 45 years after the American Convention on Human Rights: Achievements and challenges"** was held. The activity took place at Universidad Externado. The Judges of the Inter-American Court participated alongside renowned academics from Colombia.

The recording of the Seminar can be accessed [here](#). Public Hearings on Contentious Cases

The Court held in-person public hearings on the Cases listed below. The public hearings were held at the premises of the Ombudsman's Office of Colombia. They were live streamed through the Inter- American Court's social media channels.

a) Case of Huilcaman Paillama et al. v. Chile¹



This case relates to the alleged responsibility of the State for a series of violations during criminal proceedings against 140 Mapuche individuals, in the context of a series of protests held in 1992 to mark the 500-year anniversary of the Spanish conquest of the Americas. Between June 16 and June 20th, 1992, members of the All Lands Council (Consejo de Todas las Tierras), an organization that grouped Mapuche authorities, took over eleven properties adjacent to their communities seeking attention from the public opinion regarding several claims, as well as the attention of the Senate, where the Indigenous Law was being processed. This consisted of holding demonstrations for a brief period at the occupied properties, placing signs that asked for the land to be given back. The occupations ended when the premises were allegedly cleared by the public forces.

Subsequently, the alleged victims were subjected to criminal proceedings and on March 11th, 1993, they were convicted of the crimes of usurpation, illegal association, contempt, theft, cover-up of theft and bodily harm, with penalties ranging from the payment of a fine equivalent to six minimum wages to three years and nine months in prison. It is claimed that during the criminal proceedings several human rights violations were committed regarding: the right to be heard by an impartial tribunal, right to adequate grounds, principle of presumption of innocence, right to prior notification in detail of the charges, right to adequate time and means to prepare a defense, principle of freedom for ex post facto laws, right to freedom of expression, right to freedom of association and the principle of equality and non-discrimination.

Further information on this case can be accessed [here](#).

The in-person public hearing took place on Tuesday, October 10th, 2023, at 09:00 am (Colombia time). The recording of the Public Hearing can be accessed [here](#).

b) Case of Pérez Lucas et al. v. Guatemala



This case refers to the alleged responsibility of the State for the alleged violations that took place as a consequence of the detention in April 1989 of Agapito Pérez Lucas, Nicolás Mateo, Macario Pú Chivalán and Luis Ruiz Luis, their subsequent forced disappearance and the alleged impunity status of the investigations.

According to the Commission, the alleged victims were human rights defenders and members of the Runujel Junam Council of Ethnic Communities (CERJ). They were detained by state agents who refused to indicate the grounds for the detention, the place where they were transferred and the whereabouts of the alleged victims. The Commission also considered that the State did not perform a diligent or timely investigation of the facts. Consequently, it asked the Republic of Guatemala to be declared internationally responsible for the violation of the rights to juridical personality, to life, to humane treatment, to personal liberty, to freedom of association to defend human rights, to judicial guarantees and to judicial protection, enshrined in Articles 3, 4.1, 5.1, 7.1, 16.1, 8.1 and 25.1 of the American Convention on Human Rights, respectively, in relation to Article 1(1) thereof, in addition to the violation of Articles I(a) and I(b) of the Inter-American Convention on Forced Disappearance of Persons.

Further information on this case can be accessed [here](#).

The in-person public hearing took place on Wednesday, October 11th, 2023, at 09:00 am (Colombia time). The recording of the Public Hearing can be accessed [here](#).

c) **Case of Leite de Souza et al. v. Brazil²**



This case concerns the alleged responsibility of the State for the forced disappearance of Viviane Rocha, Cristiane Leite de Souza, Wudson de Souza, Wallace do Nascimento, Antônio Carlos da Silva, Luiz Henrique Euzébio, Edson de Souza, Rosana Lima de Souza, Moisés dos Santos Cruz, Luiz Carlos Vasconcelos de Deus and Edio do Nascimento, as well as alleged acts of sexual violence against women in the context of those disappearances. The case also concerns the murder of Edméa da Silva Euzébio and Sheila da Conceição, mother and cousin of Luiz Henrique Euzébio, one of the alleged victims of forced disappearance, and the lack of due diligence in the investigation and punishment of those responsible. According to the Commission, on July 26th, 1990, a group of civilian and military police abducted the victims and took them to the ranch of a military officer, where they were subjected to sexual violence, murdered and thrown into the Estrela River.

The police investigation began on July 31st, 1990. On July 27th, 2010, the Public Prosecutor's Office of Rio de Janeiro shelved the police investigation, although criminal proceedings had not been opened, since "the bodies were never found, therefore there was no technical evidence of the materiality of the crime of homicide" and the statute of limitations of the punitive claim. The investigation was reopened on December 13rd, 2011, allegedly to address the petition filed before the Inter-American Commission. Moreover, on January 15th, 1993, Edméa da Silva Euzébio and Sheila da Conceição were murdered in Rio de Janeiro shortly after Ms. Da Silva testified in court that police officers had taken part in the disappearances. The criminal investigation of these deaths was opened on February 25th, 1993. According to the Commission, the person charged as mastermind was acquitted in 1996 by the Jury Court (Tribunal de Jurado) at the request of the Public Prosecutor's Office, due to lack of evidence. Subsequently, seven military police officers of the 9th Battalion of the Military Police, known as "Running Horses" (Caballos Corredores) were accused of the murders. On September 22, 2014, the case was brought to the Jury Court.

Further information on this case can be accessed [here](#).

The in-person public hearing took place on Thursday, October 12th, 2023, at 09:00 am (Colombia time). The recording of the public hearing can be accessed [here](#).

III. Hearings on Monitoring Compliance with Judgment

The Court held private hearings on Monitoring Compliance with Judgment.

a) Private hearing on Monitoring Compliance with Judgment in the Case of Isaza Uribe et al. v. Colombia³



The hearing took place on Monday October 9th, 2023.

b) Private hearing on Monitoring Compliance with Judgment in the Case of the Ituango Massacres v. Colombia⁴



The hearing took place on Monday October 9th, 2023.

c) Private hearing on Monitoring Compliance with Judgment in the Case of Vereda La Esperanza v. Colombia⁵



The hearing took place on Monday October 9th, 2023.

d) Private hearing on Monitoring Compliance with Judgment in the Case of the Afro-descendant Communities displaced from the Cacarica River Basin (Operation Genesis) v. Colombia⁶



The hearing took place on Friday October 13th, 2023.

e) Private hearing on Monitoring Compliance with Judgment in the Case of Bedoya Lima et al. v. Colombia⁷



The hearing took place on Friday October 13th, 2023.

IV. Protocol Meetings

During the Regular Session several protocol meetings for exchange with national authorities were held.

a. Meeting of the President of the Republic of Colombia and several State Ministers with the full court of the I/A Court H.R.



b. Meeting of the full court with the Constitutional Court of Colombia



c. Meeting of the full court with the Council of State of Colombia



d. Meeting of the full court with the Supreme Court of Justice of Colombia



e. Meeting of the full court and signing of agreement with the Judges of the Special Jurisdiction for Peace



f. Meeting with the Deputy Prosecutor of Colombia Martha Janeth Mancera

The President of the Inter-American Court, Judge Ricardo C. Pérez Manrique, Vice President Eduardo Ferrer Mac Gregor and the Registrar, Pablo Saavedra Alessandri, participated in this meeting.

g. Meeting with the Prosecutor General of the Republic Margarita Cabello Blanco

The President of the Inter-American Court, Judge Ricardo C. Pérez Manrique, Vice President Eduardo Ferrer Mac Gregor, Judge Humberto Sierra Porto and the Registrar, Pablo Saavedra Alessandri, participated in this meeting.

h. Meeting with the Ombudsman Carlos Ernesto Camargo Assis

V. Round table: Advances and challenges to compliance with the Judgments of the Inter-American Court of Human Rights in Colombia



During the Regular Session of the Inter-American Court held in Colombia, the Round Table: “Advances and challenges to compliance with the Judgments of the Inter-American Court of Human Rights in Colombia” was held, guided by Judge Rodrigo Mudrovitsch of the Inter-American Court, and with the participation of several agencies of the State of Colombia involved in following through with the Judgments of the Inter-American Court of Human Rights.

On behalf of the I/A Court H.R., the Director of the Unit of Monitoring Compliance with Judgment, Gabriela Pacheco Arias, and the attorney of that unit, Ana Lucía Aguirre, participated in the round table.

Mariela Morales from the Max Planck Institute for Comparative Public Law and International Law also participated. State authorities, officials, and the victims’ representatives in most of the 27 cases currently undergoing the Monitoring Compliance with Judgment stage also participated.

VI. Training Session for officials of the Colombian Special Jurisdiction for Peace



During the Inter-American Court's visit to Colombia, through its Training Center it held a Training Session for officials of the Colombian Special Jurisdiction for Peace. Dr. Alexei Julio Estrada, Legal Director of the I/A Court H.R., opened the training session with the keynote lecture "Overview of how International Human Rights Law contributes towards compliance with the mandate of the SJP."

In addition, several aspects of the Inter-American System, the Inter-American Court of Human Rights and its jurisprudence were covered, among other topics. This training was possible thanks to the support of the European Commission through the project "Improvement of the institutional capacities of the Inter-American Court of Human Rights, phase 2" implemented by the Inter-American Court of Human Rights.

¹ Judge Patricia Pérez Goldberg, of Chilean nationality, did not participate in the public hearing in this case, in conformity with Article 19 of the Rules of Procedure of the Court.

² Judge Rodrigo Mudrovitsch, of Brazilian nationality, did not participate in the public hearing in this case, in conformity with Article 19 of the Rules of Procedure of the Court.

³ Judge Humberto Antonio Sierra Porto, of Colombian nationality, did not participate in the hearing of Monitoring Compliance with Judgment in this case, in conformity with Article 19 of the Rules of Procedure of the Court.

⁴ Judge Humberto Antonio Sierra Porto, of Colombian nationality, did not participate in the hearing of Monitoring Compliance with Judgment in this case, in conformity with Article 19 of the Rules of Procedure of the Court.

⁵ Judge Humberto Antonio Sierra Porto, of Colombian nationality, did not participate in the hearing of Monitoring Compliance with Judgment in this case, in conformity with Article 19 of the Rules of Procedure of the Court.

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The Court's composition for this Regular Session was as follows: Judge Ricardo C. Pérez Manrique President (Uruguay), Judge Eduardo Ferrer Mac-Gregor Poisot - Vice President (Mexico), Judge Humberto Antonio Sierra Porto (Colombia), Judge Nancy Hernández López (Costa Rica), Judge Verónica Gómez (Argentina); Judge Patricia Pérez Goldberg (Chile) and Judge Rodrigo Mudrovitsch (Brazil).

This press release was produced by the Secretariat of the Inter-American Court of Human Rights, which is the only responsible for its content.

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Inter-American Court of Human Rights. 2023. 

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