



Judge,

Nancy Hernández López

Costa Rica

Current position

Judge, President of the Inter-American Court of Human Rights

Summary

Jurist with over 30 years of judicial experience as well as a university professor. Specialized in constitutional law, human rights and public law. Judge of the Constitutional Chamber of the Supreme Court of Justice of Costa Rica. Has participated in the preparation of important bills on human rights and for the protection of vulnerable populations such as prisoners and persons with HIV/AIDS. Her judgments reflect her commitment to human rights, including marriage equality (same sex marriage), horizontal parity for the political rights of women (which has led to currently having a historically high percentage of female members of the Legislative Assembly), as well as regarding police torture and abuse of prisoners. Her experience is jurisdictional, academic and practical.

Languages

Spanish: Native language.

English: Full proficiency.

Education

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| 2008 | Master of Public Law . Universidad de Costa Rica.
Master of Public Law degree from Universidad de Costa Rica. Graduated with Honors. |
| 1998 | Master of Tax Law. Universidad para la Cooperación Internacional.
Master of Tax Law from Universidad para la Cooperación Internacional (UCI), with an honorary mention in her graduation thesis. |
| 1987 | Bachelor of Laws • Escuela Libre de Derecho.
Bachelor of Laws with Summa Cum Laude, Escuela Libre de Derecho. |



Experience

2013 - 2021	<p>Judge of the Constitutional Chamber • Supreme Court of Justice.</p> <p>Judge assigned since December 2013 to the Constitutional Chamber of the Supreme Court of Justice 1987- 1988.</p>
2009 - 2013	<p>Director of the Office of the President of the Court • Supreme Court of Justice.</p> <p>Worked for two Presidents of the Supreme Court of Justice, Dr. Luis Paulino Mora (q.D.g) and Msc. Zarela Villanueva Monge. Her work mainly dealt with political matters of the judicial government, namely: promoting judicial reform, transparency and anti-corruption programs.</p>
1999 - 2013	<p>Legal Counsel of the President of the Supreme Court of Justice • Supreme Court of Justice.</p> <p>Legal Counsel of the President of the Supreme Court of Justice, Dr. Luis Paulino Mora Mora, in charge of studying and processing habeas corpus, appeals for legal protection and constitutional motions, as well as matters pertaining to the political function of the President of the Court, namely judicial reform, transparency and anti-corruption. Performed both roles (legal counsel and Director of the Office of the President of the Court) due to the two positions held by Dr. Mora Mora as President of the Court and Judge of the Constitutional Chamber.</p>
1999 - 2013	<p>Legal Counsel of the Constitutional Chamber • Supreme Court of Justice.</p> <p>Legal Counsel of the Constitutional Chamber assigned to the Office of the President, mainly in charge of studying Constitutional Motions and Legislative Queries.</p>
1990 - 1992	<p>Legal Counsel • Dr. Rodolfo Piza Escalante.</p> <p>Legal Counsel of Dr. Rodolfo Piza Escalante (Former President of the Inter-American Court of Human Rights from 1979 to 1981).</p>
1990 - 1992	<p>Legal Counsel • Ministry of Justice.</p> <p>Legal Counsel of the Minister of Justice, also Human Rights Ombudsman of the National Jail System. In charge of protecting the human rights of prisoners (first female to hold this position).</p>

Teaching Experience

1999 - 2009	Professor of human rights and Constitutional Jurisdiction at Universidad La Salle.
2010 - to date	Professor of the Master's degrees in Constitutional Law, Public Law and Criminal Sciences at Universidad de Costa Rica.



Laws Promoted

Joint Drafter of the Bill for the protection of persons with HIV/AIDS.

Joint Drafter of the Code of Children, Infants and Adolescents.

Sponsor and Joint Drafter of the amendment to Article 168 of the Electoral Code, to allow the placement of voting booths in jails and to guarantee the right of felons to vote (protection of minorities).

Joint Drafter of the Bill for Victim and Witness Protection, presented by the Judicial Branch to the High-Level Commission of the Executive Branch.

Drafter of the Amendment to the Weapons Law for the Commission on International Humanitarian Law.

Joint Drafter of the Rules on Access to Justice of Indigenous Peoples.

Joint Drafter of the Amendments to Articles 22 and 25 of the Law on the Criminalization of Violence against Women. Amendments to the Law on Constitutional Jurisdiction, Commission of the Costa Rican Bar Association.

Drafter of the Rules for the Regulation of Conflicts of Interest in the Judicial Branch, 2017.

Other positions for the Protection of Human Rights

1990-1992	<p>Member of the National AIDS Commission.</p> <p>Her work focused on fighting against the discrimination of persons with HIV/AIDS, specifically regarding access to medication and anti-retroviral therapy. She was also joint drafter of the first Bill on HIV/AIDS, along with the Ombudsman's Office.</p>
1988	<p>Consultant for the Pan American Health Organization.</p> <p>Consultant for the Pan American Health Organization on the topic of AIDS in prisons and treatment of prisoners with HIV/AIDS.</p>
1997-1998	<p>Member of the Drafting Commission • Code of Children, Infants and Adolescents.</p> <p>Member of the Drafting Commission that prepared the Code of Children, Infants and Adolescents in light of the new principles of the Convention on the Rights of the Child.</p>
1990	<p>Co-Founder and Vice-President • Costa Rican Association of Constitutional Law.</p> <p>Co-Founder and Vice-President (since 2014) of the Costa Rican Association of Constitutional Law.</p>
1995	<p>Professor • Judicial School of the Supreme Court of Justice.</p> <p>Training of judges on international law regarding the protection of human rights and constitutional law.</p>



1993-1998	<p>Founder and Coordinator • Jurisprudence Newsletter.</p> <p>Founder and Coordinator of the Jurisprudence Newsletter of the Constitutional Chamber to disseminate and promote human rights.</p>
2000	<p>Contributor • Constitutional Law Review.</p> <p>Contributor to the Costa Rican Constitutional Law Review (Revista de Derecho Constitucional Costarricense).</p>
2005 - 2009	<p>Member • Grupo Civitas.</p> <p>Member of Grupo Civitas Costa Rica, to promote teaching about civil liberties at national schools.</p>
2007 - 2009	<p>Member • Sub-Commission on Indigenous Matters.</p> <p>Member of the Sub-Commission on Indigenous Matters of the Judicial Branch.</p>
2005 - 2011	<p>Member • Commission on International Humanitarian Law.</p> <p>Member of the Commission on International Humanitarian Law as representative of the Judicial Branch, in charge of ensuring the implementation of International Humanitarian Law and the adaptation of domestic law.</p>
2012- 2014	<p>Member • Commission of the Bar Association.</p> <p>Member of the Commission of the Costa Rican Bar Association that studies the Amendments to the Law on Constitutional Jurisdiction.</p>
2014 - to date	<p>Vice President • Costa Rican Association of Constitutional Law.</p> <p>Since 2014, Vice President of the Costa Rican Association of Constitutional Law.</p>
2020	<p>Representative • Venice Commission.</p> <p>Representative of the Constitutional Chamber before the Venice Commission</p>
2021	<p>Member • Editorial Committee “Annual Review of Latin American Constitutional Law”.</p> <p>Member of the Editorial Committee of the publication “Annual Review of Latin American Constitutional Law”.</p>



Publications and other articles

“A death with Dignity,” published in the Book: The Judge and the defense of Democracy: A Human Rights approach” of the Inter-American Institute on Human Rights, 1993.

“International Law and its Influence on Costa Rican Constitutional Jurisdiction,” published in the Book: Constitutional Jurisdiction and its Influence on the Rule of Law, Editorial EUNED, 1996.

Book: Business closing in the body of law, IJSA, 1998.

Justice in view of society, along with Mora Mora Luis Paulino, ILSA (Latin American Institute of Alternative Legal Services), June 2000.

Justice and Development: Justice as Key Component of the State’s Reform Process. Revista de Ciencias Jurídicas (Legal Sciences Journal) 105 (separata), San José, Costa Rica, December 2004.

Thesis: Reform of the Judicial Branch in Costa Rica: Analysis in Light of the Principle of Democratic Justice. Presented to the Post-graduate Studies System (Sistema de Estudios de Posgrado, SEP), UCR. May 2008.

Judicial guarantees in light of the judgments of the Inter-American Court of Human Rights and analysis of the Case of LOAYZA TAMAYO V. Peru, for the 5th International Virtual Course on International Human Rights Law, Academia de la Magistratura (Judicial Training Academy), Peru, August 2006.

“Liberty in the Constitution of 1949,” published in the Book Constitution and Constitutional Justice, Judicial School, Judicial Branch, November 2009.

Project: Diagnosis of Strengths and Weaknesses of the Judicial Investigation Agency (Organismo de Investigación Judicial, OIJ) (2017).

Project to compile the habeas corpus and amparo (legal protection) judgments from 1918-1989, Supreme Court of Justice (2019).

Project: Diagnosis of strengths and weaknesses of the Judicial Branch regarding corruption, in order to strengthen the institution to prevent the infiltration of organized crime (2014-2019).

Other articles

Mandatory consultation of Constitutionality, Judicial School, 1995.

Newspaper articles

Justice for the highest bidder? La Nación, Thursday August 19, 2004.

Reaffirmation of our Values (Constitutional Chamber: Guardian of the most sacred Costa Rican values). La Nación, Monday September 27, 2004.

The rights of inmates, La Nación, January 19, 1989.

Jail Reform, La Prensa Libre, March 17, 1988.

The transfer of power to judges. La Nación, June 22, 2014.



Awards

Certificate of Merit, XV Anniversary of the Constitutional Chamber.

Certificate of Gratitude, Constitutional Chamber, September 27, 2004.

Certificate of Judicial Merit, October 1, 2012.

Recognition of the Costa Rican Bar Association for 25 years of professional practice, May 21, 2012. Premio Bhúo (Owl Award) of Escuela Libre de Derecho 2014. Award given to freedom defenders.

Recognition of Merit for 30 years of service at the Judicial Branch (granted only to those without sanctions and a clean record), October 2020.

Recognition by the U.S. Embassy and the National Center for State Courts for her work to strengthen the Judicial Branch against corruption (December 9, 2020).



I/A Court H.R.
Protecting Rights

Inter-American Court of Human Rights
