



**CORTE INTERAMERICANA DE DERECHOS HUMANOS
COUR INTERAMERICAINE DES DROITS DE L'HOMME
CORTE INTERAMERICANA DE DIREITOS HUMANOS
INTER-AMERICAN COURT OF HUMAN RIGHTS**



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PRESS RELEASE^(*)

San José, Costa Rica, November 21, 2011.- The Inter-American Court of Human Rights will hold its 93rd Regular Period of Sessions from November today to December 3rd, 2011. Four judgments will be studied, and two public hearings will be held on contentious cases. In addition, a public hearing will be held on monitoring of compliance with judgment for the cases *Yakye Axa, Sawhoyamaya and Xákmok Kásek Indigenous Communities v. Paraguay*, as well as a public hearing on monitoring of compliance with judgment for the case of the *Mapiripán Masacre vs. Colombia*. Several orders regarding compliance with the judgments and provisional measures will also be studied. In addition, during this last session of the year the Judges of the Court must decide who will assume the position of president and of vice-president as of January 1, 2012. All of the public hearings will be transmitted live via the webpage www.corteidh.or.cr.

For this period of sessions the Court is composed of the following: Diego García-Sayán (Perú), President; Leonardo A. Franco (Argentina), Vice-president; Manuel E. Ventura Robles (Costa Rica); Margarette May Macaulay (Jamaica); Rhadys Abreu Blondet (Dominican Republic); Alberto Pérez Pérez (Uruguay); and Eduardo Vio Grossi (Chile).

1. Public hearings on contentious cases

a. Case of Néstor José and Luis Uzcátegui et al. v. Venezuela. As of 9:00 a.m. on November 28, 2011 the Court will hear the statements of one of the alleged victims, proposed by the representatives of the alleged victims, and of two witnesses, proposed by the representatives and by the State. In addition, the Court will hear the closing arguments of the representatives of the alleged victims and the State, as well as the final observations of the Inter-American Commission.

Background

The facts of this case relate to the death of Néstor Uzcátegui, who was allegedly killed by the police of the State of Falcón, and the alleged persecution of Luis Uzcátegui by the same police in response to his search for justice for the death of his brother Néstor. As part of this persecution the next of kin of Néstor José Uzcátegui have allegedly been detained and subjected to illegal and arbitrary searches. In addition, it is claimed that Luis Uzcátegui has received threats against his life and personal integrity, had to deal with a claim of defamation against him, and that he had to move from his place of residence.

b. Case of Díaz Peña v. Venezuela. As of 9:00 a.m. on December 1, 2011 the Court will hear the statements of the alleged victim, as well as a witness and an expert witness proposed by the State. In addition, the Court will hear the closing arguments of the alleged victim and of the República Bolivariana de Venezuela, as well as the final observations by the Inter-American Commission.

^(*) The contents of this press release are the responsibility of the Secretariat of the Inter-American Court. The official text of the documents indicated can be obtained through a written request to the following e-mail address: corteidh@corteidh.or.cr.

Background

The facts of this case relate to the alleged illegal and arbitrary detention of Mr. Raúl José Díaz Peña and his alleged preventive imprisonment, which exceeded the limits established in criminal law, based on the presumption of the risk that he would flee. During the time that he was detained the alleged victim did not receive an effective judicial review of his situation. In addition, there were a number of irregularities in his proceedings, which allegedly resulted in that five years and two months elapsed from the date of his arrest to the date of his conviction. While in the State's custody he was allegedly subjected to detention conditions which had a grave impact on his health, without receiving timely medical attention.

2. Public hearing on the monitoring of compliance with judgment

a. Yakye Axa, Sawhoyamaya and Xákmok Kásek Indigenous Communities v. Paraguay. As of 15:00 of November 21, 2011 the Court will hold a public hearing in order for the Inter-American Court to obtain information on compliance with the reparation measure regarding identification, delivery, and title of ownership of the ancestral lands ordered in the cases of *Yakye Axa, Sawhoyamaya and Xákmok Kásek Indigenous Communities*. It will hear the State of Paraguay, the victims' representatives, and the Inter-American Commission.

3. Private hearing on monitoring of compliance with judgment

a. Mapiripán Massacre v. Colombia. As of 15:00 on November 23, 2011 the Court will hold a private hearing in order to obtain detailed and documented information from the State regarding the payments ordered in operative paragraphs fifteen and sixteen of the Judgment on Merits and Reparations of September 15, 2005, and to hear the observations by the Inter-American Commission and the victims' representatives.

4. Study of judgments

The Court will deliberate and study the possibility of issuing a Judgment on the following cases: *Fleury v. Haiti; Familia Barrios v. Venezuela and Fontevecchia and D'Amico v. Argentina*. In addition, the Court will study the possibility of issuing an interpretation of the judgment in the case of *Abrill Alosilla et al. v. Perú*.

a. Case of Fleury v. Haiti

Background

The facts of this case relate to the alleged illegal detention and acts of torture and other cruel, inhuman, and degrading treatments committed against Mr. Lysias Fleury, who was an attorney and Human Rights defender, occurred on June 24, 2002 in the city of Port-au-Prince; the alleged lack of investigation of the facts and the denial of justice in his detriment and that of his next of kin, as well as the alleged violation of the personal integrity of his next of kin.

b. Case of Barrios Family v. Venezuela

Background

On July 26, 2010 the Inter-American Commission filed a petition against the State of Venezuela for the alleged persecution of the Barrios Family by the Police of Aragua, which had caused the death of several of its members, alleged detentions and illegal and arbitrary searches, alleged threats against their life and personal integrity, as well as the alleged displacement from their place of residence. Several members of the family who suffered these facts were children. In addition, to date all of the alleged violations remain in impunity.

c. Case of Fontevecchia and D'Amico Vs. Argentina.

Background

On December 10, 2010 the Inter-American Commission submitted this case for the alleged violation to the right of freedom of thought and expression based on a civil punishment imposed on Messrs. Jorge Fontevecchia and Hector D'Amico, who at the time of the facts were director and editor of Noticias magazine, respectively. The case refers to the publication of two editions of the Noticias magazine in which articles were published reporting the alleged existence of an unrecognized son of the President of the Republic at that time, Carlos Saúl Menem with a congresswoman; the relationship between the president and the congresswoman; the relationship between the president and his son. As a consequence of the referred publications Mr. Menem filed a civil lawsuit against the alleged victims for, *inter alia*, alleged arbitrary and unlawful intrusions into his private life. The Supreme Court of Justice confirmed a judgment of a Civil Chamber of Appeals which declared admissible the civil lawsuit filed by Mr. Menem, considering that his right to a private life had been violated.

d. Case of Abrill Alosilla et al. v. Perú.

Background

On March 4, 2011 the Inter-American Court, through its judgment on merits, reparations, and costs, ruled the international responsibility of the State of Perú for the violation of articles 21.1, 21.2 and 25.1, in relation to article 1.1. of the American Convention, to the detriment of 233 victims. The Court established a sum for material damages. On May 13, 2011 the victims' representative filed a claim for interpretation with regards to the compensation amount determined in the judgment issued by the Court.

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For more information please visit the Inter-American Court's web page <http://corteidh.or.cr/index.cfm> or send an email addressed to Pablo Saavedra Alessandri, Secretary, to the email address corteidh@corteidh.or.cr.