

Press Release

Inter-American Court of Human Rights

I/A Court H.R._PR-103/2022 English

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I/A Court H.R.

Protecting Rights

PARAGUAY IS RESPONSIBLE FOR THE MURDER OF JOURNALIST SANTIAGO LEGUIZAMÓN ZAVÁN

San Jose, Costa Rica, December 16, 2022. – Today the Inter-American Court of Human Rights posted its Judgment on the Case of *Leguizamón Zaván et al. v. Paraguay*, holding the State of Paraguay responsible for the murder of journalist Santiago Leguizamón Zaván and, therefore, for violating his right to life and the individual and collective right to freedom of thought and expression. The State was also declared liable for violating the right to judicial guarantees, right to judicial protection, and right to personal integrity for the wife, daughter, and sons of Mr. Leguizamón Zaván.

The State acknowledged its international responsibility in this case. The Court welcomed the State's position as a positive contribution to the development of the proceeding and to the effective exercise of the principles that undergird the Convention and to meeting the victims' need for redress. It also valued the State's willingness to waive the time limitations on the exercise of its jurisdiction and the recognition, in the process before the inter-American jurisdiction, that Mr. Leguizamón Zaván was indeed a victim.

The official summary of the Judgment can be found [here](#) in Spanish, and the full text of the Judgment, also in Spanish, is [here](#).

Santiago Leguizamón Zaván was a journalist with an extensive career in Paraguay. His work had exposed him to threats on several occasions, which came to fruition on April 26, 1991, when he was murdered in the city of Pedro Juan Caballero, near the Brazilian border. The State, unprompted, undertook an investigation the same day of the murder, but the acts associated with his death remain unpunished.

The Court found in its Judgment that the State was aware of the danger facing Mr. Leguizamón Zaván, but did not take the necessary preventive measures. The Court also concluded that the murder had not only undermined his personal right to freedom of expression but at the same time, had an intimidating or dissuasive effect on his journalist colleagues and injured the right of Paraguayan society to be informed; this constituted a violation of the collective dimension of the right to freedom of expression.

The Court's Judgment held that, because Mr. Leguizamón Zaván was covering news of great public interest, including the actions of authorities and business leaders in matters regarding the environment, contraband lumber, the situation of small-scale farmers and indigenous peoples, corruption, the drug trade, and crime and violence in the border zone, the impact on the right of Paraguayan society to be informed was especially serious.

The Court recalled, in this regard, that freedom of expression, particularly on matters of public interest, is a cornerstone of democratic societies. The absence of this freedom weakens the democratic system and breaks down pluralism and tolerance, while the mechanisms of oversight and the ability of citizens to report problems may become inoperable, and unquestionably create fertile ground for authoritarian systems.

The Court also found that an effective fight against corruption requires transparency in the exercise of power and that in this process the press plays a crucial role to inform the public about whether authorities are respecting the law. This means the press holds a significant social position for forming and protecting public opinion as guardian of the general interest, and this is not only a matter of deep public importance but is also critical to the survival of the democratic system.

Finally, the Judgment concluded that Paraguay did not act within a reasonable period to investigate and prosecute the perpetrators of the murder, nor did it conduct the investigation with due diligence, and as a result, the case of Mr. Leguizamón Zaván had languished in impunity.

Finally, the Judgment held that the State is responsible for violating the right to personal integrity of the wife and children of Mr. Leguizamón Zaván.

The Court ordered a variety of reparation measures in view of the violations declared in the Judgment: (a) create a working group to determine the circumstances of the murder of Mr. Leguizamón Zaván; (b) hold a public ceremony in recognition of international responsibility; (c) reinstate the national "Santiago Leguizamón" journalism award, and (d) adopt whatever measures are necessary to preserve the places set aside in honor of the memory of Mr. Leguizamón Zaván. As guarantees of non-recurrence, the State must: (e) adopt suitable measures to strengthen the work of the Panel for the Safety of Journalists in Paraguay and, in the framework of this panel, create a fund to pay for programs targeting prevention, protection, and assistance to journalists who are victims of violence; and (f) promote the enactment of a draft bill on freedom of expression and protection for journalists, press workers, and human rights defenders. The State was also ordered to (g) pay compensation for pecuniary and nonpecuniary damages and cover court costs and attorney fees.

The composition of the Court for this Judgment were: Ricardo C. Pérez Manrique, President (Uruguay), Humberto Antonio Sierra Porto, Vice-President (Colombia), Eduardo Ferrer MacGregor Poisot (Mexico), Nancy Hernández López (Costa Rica), Verónica Gómez (Argentina), Patricia Pérez Goldberg (Chile), and Rodrigo Mudrovitsch (Brazil).

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