

Press Release

Inter-American Court of Human Rights

I/A Court H.R._PR-107/2021 English

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I/A Court H.R.

Protecting Rights

ARGENTINA IS INTERNATIONALLY RESPONSIBLE FOR THE FORCED DISAPPEARANCES OF TWO PEOPLE UNDER THE PLAN OF SYSTEMATIC REPRESSION IMPLEMENTED FROM 1976-1983 AND IN THE CONTEXT OF OPERATION CONDOR

San José, Costa Rica, December 21, 2021. In the Judgment of the Case of *Julien Grisonas Family v. Argentina*, notified today, the Inter-American Court of Human Rights concluded that the State is responsible for the forced disappearance of the couple Mario Roger Julien Cáceres and Victoria Lucía Grisonas Andrijauskaite, for which it declared the violation of their rights to recognition of legal status, life, personal integrity and personal liberty.

The Court found that the events occurred in the context of the military government established in Argentina between 1976-1983, a period in which a systematic and generalized plan of human rights violations was implemented and executed. The Court also established that the various activities of repression carried out during the period of military government in Argentina included the "systematic and generalized practice" of "abduction, detention and concealment" of boys and girls, after the disappearance or execution of their parents. Similarly, it was found that the events occurred within the context of "Operation Condor".

You may consult the official summary of the Judgment [here](#) and the complete text of the Judgment [here](#).

The Court also established that Argentina violated the rights to judicial guarantees and judicial protection, to the detriment of Anatole and Victoria, biological son and daughter of the Julien Grisonas couple, for the following reasons: a) the excessive and unjustified delay in the processing of the proceedings initiated to clarify the acts committed against Ms. Grisonas Andrijauskaite, her son and her daughter; b) the failure to prosecute and punish the acts committed against Mr. Julien Cáceres; c) the delay in classifying the crime of forced disappearance of persons, which resulted in the failure to apply it to this case, affecting the investigation and punishment of the acts suffered by Mr. Julien Cáceres; d) the failure to observe due diligence in the investigation of the whereabouts and, as appropriate, to search for and locate Ms. Grisonas Andrijauskaite's remains; e) the failure to meet the requirements established to progress in the search for the remains of Mr. Julien Cáceres; f) the lack of timely communication through the appropriate information channels that would respond to the requirements regarding the search for the remains of both persons, and g) the judicial authorities' decision to declare the action required to claim reparations for the damages and losses caused as a result of the acts perpetrated, as barred by the statute of limitations. The Court also declared the violation of Anatole and Victoria's right to know the truth about the whereabouts and fate of the remains of their biological mother and father.

Similarly, the Court determined the violation of the right to personal integrity of Anatole and Victoria as a consequence of the acts perpetrated against their family.

Due to these violations, the Court ordered various measures of reparation by the Argentine State, including: a) to resolve, within a reasonable time, the case initiated to clarify the facts perpetrated against Mr. Julien Cáceres; b) to carry out, as soon as possible, a serious search with due diligence regarding the whereabouts and, where appropriate, the remains of Mrs. Grisonas Andrijauskaite; c) to provide, within a reasonable time, a reasoned response to the requests made by the son of Mr. Julien Cáceres to continue the search for his remains; d) to hold a public act of acknowledgment of international responsibility in relation to the facts of the case; e) to publish the official summary of the Judgment in the Official Gazette and the full Judgment on an official website; f) to prepare an audiovisual documentary on the serious human rights violations committed during the 1976-1983 period and the Inter-State coordination in the context of Operation Condor, including the facts of the case and the violations stated in the Judgment; g) to take the relevant steps to summon the States that participated in the execution of the facts of the case and in the context of Operation Condor, in order to form a working group to coordinate possible efforts to carry out the investigation, extradition, prosecution and, where appropriate, punishment of those responsible for the serious crimes committed within the framework of the aforementioned interstate criminal plan, and h) to pay the amounts established in the Judgment for compensation for pecuniary and non-pecuniary damages, as well as payment of costs and expenses.

Judge Patricio Pazmiño Freire informed the Court of his individual concurring opinion, which accompanies the Judgment.

The composition of the Court for the issuance of this Judgment was as follows: Judge Elizabeth Odio Benito, President; Judge Patricio Pazmiño Freire, Vice President, Judge Eduardo Vio Grossi; Judge Humberto Antonio Sierra Porto, and Judge Eduardo Ferrer Mac-Gregor Poisot.

Judge Eugenio Raúl Zaffaroni, an Argentine national, did not participate in the deliberation of this Judgment, in accordance with Article 19 of the Court's Rules of Procedure.

Judge Ricardo Pérez Manrique excused himself from participating in the deliberation of this Judgment.

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