

Press Release

Inter-American Court of Human Rights

I/A Court H.R._PR-30/2021 English

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I/A Court H.R. Protecting Rights

INTER-AMERICAN COURT OF HUMAN RIGHTS HELD THE 141st REGULAR SESSION



San José, Costa Rica, May 17, 2021. The Inter-American Court held its 141st regular session from April 19 to May 14, 2021.

During this session, the Court held public hearings in three cases, a public hearing on an advisory opinion, and hearings on monitoring compliance with judgment and provisional measures, as well as conducting a procedure on a matter it is examining. It also deliberated on an advisory opinion and various matters related to monitoring compliance with judgment and provisional measures.

I. Deliberation on the Request for an Advisory Opinion on the scope of State obligations under the Inter-American System with regard to the guarantee of trade union freedom, its relationship to other rights, and its application from a gender perspective

The Court deliberated on the Request for an Advisory Opinion on the scope of State obligations under the Inter-American System with regard to the guarantee of trade union freedom, its relationship to other rights, and its application from a gender perspective presented by the Inter-American Commission on Human Rights.

Further information on the request for an advisory opinion is available [here](#).

The Request for an Advisory Opinion will be notified shortly and will be available [here](#).

II. Public hearing on a Request for an Advisory Opinion on Differentiated Approaches to Persons Deprived of Liberty

From April 19 to 22, the Court held the virtual Public Hearing on the Request for an Advisory Opinion on differentiated approaches to persons deprived of liberty presented by the Inter-American Commission on Human Rights. The purpose of the request is for the Court to make a joint interpretation of several inter-American norms on the obligations with regard to diverse groups of persons deprived of liberty in order to address the situation of real inequality of at-risk groups; in particular, pregnant women, postpartum and breastfeeding women, LGBT people, indigenous peoples, older persons, and children who live with their mothers in prison.

Further information on the request for an advisory opinion is available [here](#).

The four sessions of the public hearing can be seen again [here](#).

III. Public hearings in Contentious Cases

The Court held virtual public hearings in the following Contentious Cases:

a) Case of Relatives of Digna Ochoa y Plácido v. Mexico¹

The case relates to the presumed death of Digna Ochoa in an alleged context of threats against, and attacks on, human rights defenders at the time of the facts. It is alleged that, on the day the human rights defender, Digna Ochoa, died, the State opened an investigation in the criminal jurisdiction, which lasted around 10 years. In the legal analysis, it is argued that a series of irregularities were committed in the investigation involving the impartiality of the investigating body during the initial stage of the investigation, which determined that Ms. Ochoa's death was due to suicide. In addition, it is alleged that Ms. Ochoa's family was presumably obstructed from participating in the investigation. Consequently, it is alleged that the State violated Articles 8(1) and 25(1), in relation to Articles 1(1) and 5(1) of the American Convention.

Further information on the case is available [here](#).

The public hearing can be seen [here](#).

b) Case of Julien Grisonas et al. v. Argentina²

The case relates to the presumed international responsibility of the Argentine State for the forced disappearance of Mario Roger Julien Cáceres and Victoria Lucía Grisonas Andrijauskaite during a police and military operation conducted during the Argentine dictatorship. It is also alleged that there has been no satisfactory investigation, punishment and reparation for these facts. Lastly, the presumed torture, forced disappearance and other violations are alleged to the detriment of Anatole and Victoria, son and daughter of the Julien-Grisonas couple, as a result of the same operation.

Further information on the case is available [here](#).

The public hearing can be seen [here](#).

c) Case of Pavez Pavez v. Chile³

The case relates to the presumed international responsibility of the State for the disqualification, based on sexual orientation, of Sandra Cecilia Pavez Pavez from teaching religious studies in a public education establishment, a position she had held for more than 22 years. It is alleged that, on July 25, 2007, the Education Vicariate of the diocese of San Bernardo revoked her certificate of suitability – which is required to teach religious studies pursuant to Decree 924 (1983) of the Ministry of Education – based on her sexual orientation, and she was therefore disqualified from exercising this teaching position. It is also argued that Ms. Pavez Pavez filed

an application for protection which was rejected by the San Miguel Appellate Court considering that the decision appealed was neither unlawful nor arbitrary; a decision that was confirmed by the Supreme Court of Justice.

Further information on the case is available [here](#).

The public hearing can be seen [here](#).

IV. Hearings on Monitoring Compliance with Judgment and Provisional Measures

a) Case of Ximenes Lopez v. Brazil

The hearing was held virtually on April 23, 2021.

The public hearing can be seen [here](#).

b) Case of Velez Llor v. Panama

The hearing was held virtually on May 6, 2021.

The public hearing can be seen [here](#).

In addition, on April 23, 2021, two private hearings were held on Monitoring Compliance with Judgment:

c) Case of the Members of the Village of Chichupac and neighboring communities of the Municipality of Rabinal v. Guatemala

d) Case of Norín Catrimán et al. (Leaders, Members and Activist of the Mapuche Indigenous People) v. Chile

V. Public hearing on the Matter of the Nicaraguan Center for Human Rights and the Permanent Commission of Human Rights (CENIDH-CPDH) regarding Nicaragua

The public hearing on the Matter of the Nicaraguan Center for Human Rights and the Permanent Commission of Human Rights (CENIDH-CPDH) regarding Nicaragua.

The hearing was held virtually on May 6, 2021.

The public hearing can be seen [here](#).

VI. Procedure in the Case of González et al. v. Venezuela

A Procedure was conducted in this case being processed by the Inter-American Court in order to hear a presumed victim.

The case relates to the alleged unlawful and arbitrary detention of Olimpiades González and the members of her family, María Angélica González, Belkis Mirelis González, Fernando González, Wilmer Antonio Barliza and Luis Guillermo González, by State agents in November 1998 and January 1999. It is alleged that the time during which four of the presumed victims were detained, under pre-trial detention, was unreasonable because it was not accompanied by a periodic review of the persistence of valid reasons under the Convention to retain them during that time, and also that the remedies filed by the presumed victims to contest their detention were neither appropriate nor effective to obtain due judicial protection.

Further information on this case is available [here](#).

VII. Monitoring Compliance with Judgments, Provisional Measures, and administrative matters

The Court also monitored compliance with various Judgments and implementation of provisional Measures it has ordered, and processed several cases, provisional measures and advisory opinions. In addition, it dealt with diverse administrative matters.

The following orders on **Monitoring Compliance with Judgment** were adopted:

1. Case of Gorioitía v. Argentina
2. Case of Herzog et al. v. Brazil
3. Case of the Plan de Sánchez Massacre v. Guatemala
4. Jointly for the Cases of the Garifuna Punta Piedra Community and its members and the Garifuna Triunfo de la Cruz Community and its members v. Honduras
5. Case of Acevedo Jaramillo et al. v. Peru
6. Case of Barbani Duarte et al. v. Uruguay

Also, a joint order on **Monitoring Compliance with Judgment** was adopted in the cases of the Garifuna Punta Piedra Community and its members and the Garifuna Triunfo de la Cruz Garfuna Community and its members v. Honduras.

In addition, **orders on Provisional Measures** were adopted in the following cases:

1. Case of the Barrios family v. Venezuela
2. Case of Fernández Ortega et al. v. Mexico

The orders will be notified shortly and will be available [here](#).

¹ Judge Eduardo Ferrer Mac-Gregor, a Mexican national, did not take part in the public hearing in this case in accordance with Art. 19 of the Court's Rules of Procedure.

² Judge Raul Zaffaroni, an Argentine national, did not take part in the public hearing in this case in accordance with Art. 19 of the Court's Rules of Procedure. Judge Ricardo Pérez Manrique excused himself from participating in the public hearing in this case.

³ Judge Eduardo Vio Grossi, a Chilean national, did not take part in the public hearing in this case in accordance with Art. 19 of the Court's Rules of Procedure.

The composition of the Court for this session was as follows: Judge Elizabeth Odio Benito, President (Costa Rica); Judge Patricio Pazmiño Freire, Vice President (Ecuador); Judge Eduardo Vio Grossi, (Chile); Judge Humberto Antonio Sierra Porto (Colombia); Judge Eduardo Ferrer Mac-Gregor Poisot, (Mexico); Judge Eugenio Raúl Zaffaroni (Argentina) and Judge Ricardo Pérez Manrique (Uruguay).

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Inter-American Court of Human Rights. 2021. 

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