

Press Release

Inter-American Court of Human Rights

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I/A Court H.R. Protecting Rights

INTER-AMERICAN COURT OF HUMAN RIGHTS WILL HOLD ITS 142nd REGULAR SESSION

Inter-American Court of Human Rights

142 RS
Regular Session

From May 24 to June 25, 2021

San José, Costa Rica, May 19, 2021. The Inter-American Court will hold its 142nd regular session from May 24 to June 25, 2021.

The Court will meet virtually and, during the Session, will hold public hearings on six cases, and hearings on Monitoring Compliance with Judgments and on Provisional Measures. In addition, it will deliberate on three Judgments and an Advisory Opinion, undertake procedures in cases being processed, examine different issues related to Monitoring Compliance with Judgment and Provisional Measures, and deal with different administrative matters.

Regular information will be provided on implementation of the activities of the 142nd Session.

I. Judgments

The Court will deliberate on the judgment in the following contentious cases:

a) Case of Grijalva Bueno v. Ecuador¹

This case relates to the alleged arbitrary dismissal of Vicente Aníbal Grijalva Bueno as Port Captain of the Ecuadorian Navy in 1993, as well as the presumed absence of judicial guarantees in the proceedings to dismiss him and in the military criminal proceedings for "offenses against the military ethos." It is alleged that the State of Ecuador violated Mr. Grijalva's right to an impartial authority during the dismissal procedure, and to be able to know about, and participate and defend himself in, the disciplinary proceedings that culminated in his dismissal. It is also argued that various members of the Ecuadorian Navy testified that they had been subjected to acts of torture in order to testify against Mr. Grijalva, and this was corroborated by the Truth Commission. It is argued that this situation constituted a violation of the right to due guarantees, as well as the right to defend oneself and to a fair trial.

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

b) Case of Moya Solís v. Peru

This case relates to the alleged violations of several rights of the Convention during the administrative ratification procedure that culminated in the dismissal of the presumed victim from her post as Clerk of the Third Court for Labor and Labor Communities of Peru. It is alleged that the State violated the right to prior notification in detail of the charges against her and adequate time and means for the preparation of her defense because, during the ratification procedure, the presumed victim was not notified of the charges or accusation against her, or informed of reports or complaints that would have allowed her to present the respective exculpatory evidence. It is also argued that she was notified verbally of the decision not to ratify her and this allegedly affected her right of defense before the appellate courts because she was unaware of the reasons that led the Evaluating Committee to decide not to ratify her. In addition, it is alleged that during neither the processing of the appeal for review nor that of the application for amparo did the competent authorities allow the presumed victim to have access to the ratification file from which she could have learned details of the reasons that led to her non-ratification and the evidence presented against her, so that she could have contested them with her arguments and presented exculpatory evidence.

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

c) Case of Guerrero, Molina et al. v. Venezuela

The case relates to the alleged extrajudicial execution of Jimmy Guerrero and Ramón Molina, on March 29, 2003, by officers of the Police Armed Forces of Falcón state in Venezuela. It is alleged that the presumed victims experienced profound fear before their execution, which violated their rights to life and personal integrity. In addition, it is alleged that, in the case of Jimmy Guerrero, the State violated the obligation to investigate possible acts of torture.

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

II. Deliberation of a Request for an Advisory Opinion

The Court will deliberate on the Request for an Advisory Opinion on the figure of indefinite presidential re-election in the context of the Inter-American System of Human Rights.

Further information on the Request for an Advisory Opinion is available [here](#).

III. Public hearings in Contentious Cases

The Court will hold virtual public hearings in the following Contentious Cases, which will be transmitted by the Inter-American Court's social networks:

a) Case of Teachers of Chañaral and other Municipalities v. Chile²

The case relates to the alleged violation of the rights to due process of law, property and judicial protection owing to the failure to execute 13 final judgments handed down in favor of 848 teachers. It is argued that those judgments established sums that the corresponding municipalities were required to pay to the teachers in the context of the municipalization of the educational system and the transfer of teachers to the private sector during the Chilean military regime in the 1980s.

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

The public hearing will be held on May 31 and June 1, 2021, starting at starting at 8 a.m. (Costa Rican time).

b) Case of the National Federation of Maritime and Port Workers (FEMAPOR) v. Peru

The case relates to the presumed violation of the right to judicial protection owing to the failure to execute an amparo judgment of the Supreme Court of the Republic of Peru, which established the correct way to calculate the additional increase of remuneration in favor of 4,106 former maritime, port and river workers. It is alleged that the fact that more than 25 years have passed without the Supreme Court judgment of February 12, 1992, being fully executed exceeded what could be considered a reasonable time. It is also argued that the State was responsible for the violation of the right to property of the beneficiaries of the said judgment.

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

The public hearing will be held on June 7 and 8, 2021, starting at 8 a.m. (Costa Rican time).

c) Case of the Maya Kaqchikel Indigenous Peoples of Sumpango et al. v. Guatemala

The case relates to the alleged impossibility of four community radios operated by indigenous peoples in Guatemala (the Maya Kaqchikel of Sumpango, the Achí Maya of San Miguel Chicaj, the Mam Maya of Cajolá and the Maya of Todos Santos de Cuchumatán) freely exercising their right to freedom of expression and their cultural rights owing to the existence of legal obstacles to access radio frequencies and a supposed policy of criminalizing community radios operating without authorization in Guatemala.

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

The public hearing will be held on June 9 and 10, 2021, starting at 8 a.m. (Costa Rican time).

d) Case of Palacio Urrutia et al. v. Ecuador³

The case relates to an alleged series of human rights violations derived from the criminal proceedings presumably instituted by the former president, Rafael Correa, against the journalist, Emilio Palacios Urrutia and the management of the newspaper, *El Universo*, Carlos Nicolás Pérez Lapentti, César Enrique Pérez Barriga and Carlos Eduardo Pérez Barriga, owing to the publication of an op-ed on a matter of significant public interest relating to the political crisis in Ecuador in September 2010 and to the actions of former president, Rafael Correa and other authorities in the context of that crisis. It is alleged that the judicial organs sentenced the journalist and the management of the newspaper, *El Universo*, to three years' imprisonment and a civil penalty of 30 million dollars for the offense of "serious and libelous insults against the authorities" based on the publication of an op-ed on a matter of significant public interest. In addition, the court established a civil penalty of 10 million dollars against the legal entity that published *El Universo*. It is also alleged that the facts of this case occurred in a context attested by the IACHR Special Rapporteurship for Freedom of Expression in which different violations and reversals were noted, as well as government repression, that impaired the free exercise of freedom of expression.

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

The public hearing will be held on June 14 and 15, 2021, starting at 8 a.m. (Costa Rican time).

e) Case of Maidanik et al. v. Uruguay⁴

The case refers to the presumed forced disappearance of Luis Eduardo González and Osear Tassino Asteazu, as well as the presumed extrajudicial execution of Diana Maidanik, Laura Raggio Odizzio and Silvia Reyes, at the time of the civil-military dictatorship in Uruguay, during which gross human rights were committed by state agents. It is alleged that the State violated the rights to juridical personality, life, personal integrity and personal liberty. It is also argued that, at times, the application of the Law on the Expiration of the Punitive Claims of the State constituted an obstacle for the investigation of the facts because it had the apparent effect of ensuring impunity; thereby violating judicial guarantees and judicial protection.

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

The public hearing will be held on June 16 and 17, 2021, starting at 8 a.m. (Costa Rican time).

f) Case of Former Employees of the Judiciary v. Guatemala

The case relates to the presumed dismissal of 93 employees of the Guatemalan Judiciary as a result of a strike in 1996. Following the declaration that the strike was allegedly unlawful, on May 13, 1996, the First Chamber of the Appellate Court of Labor and Social Security supposedly established a time limit of 20 days for the Judiciary to terminate the employment contracts of the employees who had presumably gone on strike and, on September 1, 1999, the Supreme Court of Justice proceeded to execute the dismissal of 404 employees, including the presumed victims. It is alleged that they were not subject to an administrative procedure prior to the dismissal and, consequently, were not notified of the opening of the disciplinary procedure against them and were unable to defend themselves in this regard. Consequently, at least 27 employees who allegedly did not take part in the strike were presumably dismissed because their names were erroneously included on the list of strikers.

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

The public hearing will be held on June 22 and 23, 2021, starting at 8 a.m. (Costa Rican time).

IV. Hearings on Provisional Measures

a) Joint public hearing on Provisional Measures regarding the Federative Republic of Brazil: Matters of the Socio-Educational Internment Facility, of the Penitentiary Complex of Curado, of the Penitentiary Complex of Pedrinhas, and the Criminal Institute of Plácido de Sá Carvalho

The hearing will be held on June 2, 2021, starting at 8 a.m. (Costa Rican time). It will be transmitted by the Inter-American Court's social networks.

b) Matter of Members Choréachi Indigenous Community regarding Mexico⁵

The public hearing will be held on June 11, 2021, starting at 8 a.m. (Costa Rican time). It will be transmitted by the Inter-American Court's social networks.

V. Hearings on Monitoring Compliance with Judgment

The Court will hold virtual public hearings on Monitoring Compliance with Judgment in the following cases:

a) Public hearing on Monitoring Compliance in the Case of Montero Aranguren (Detention Center of Catia) v. Venezuela

The hearing will be held on June 24, 2021, starting at 8 a.m. (Costa Rican time). It will be transmitted by the Inter-American Court's social networks.

b) Joint public hearing in the Cases of Gomes Lund et al. ("Guerrilha do Araguaia") v. Brazil and Herzog et al. v. Brazil

The hearing will be held on June 24, 2021, starting at 10.30 a.m. (Costa Rican time). It will be transmitted by the Inter-American Court's social networks.

The Court will also hold a private hearing on Monitoring Compliance:

c) Case of the Santo Domingo Massacre v. Colombia⁶

The hearing will be held on June 2, 2021.

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

The Court will also monitor compliance with various judgments and implementation of provisional measures it has ordered, and will also process several cases, provisional measures and advisory opinions. In addition, it will deal with diverse administrative matters.

¹ Judge Patricio Pazmiño Freire, an Ecuadorian national, will not take part in the deliberation of the judgment in this case in accordance with Art. 19 of the Court's Rules of Procedure.

² Judge Eduardo Vio Grossi, a Chilean national, will not take part in either the public hearing or the deliberation of the judgment in this case in accordance with Art. 19 of the Court's Rules of Procedure.

³ Judge Patricio Pazmiño Freire, an Ecuadorian national, will not take part in either the public hearing or the deliberation of the judgment in this case in accordance with Art. 19 of the Court's Rules of Procedure.

⁴ Judge Ricardo Pérez Manrique, a Uruguayan national, will not take part in either the public hearing or the deliberation of the judgment in this case in accordance with Art. 19 of the Court's Rules of Procedure.

⁵ Judge Eduardo Ferrer Mac-Gregor Poisot, a Mexican national, will not take part in either the public hearing or the deliberation of the judgment in this case in accordance with Art. 19 of the Court's Rules of Procedure.

⁶ Judge Humberto Antonio Sierra Porto, a Colombian national, will not take part in either 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 will be 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).

This press release was produced by the Secretariat of the Inter-American Court of Human Rights, which is the only responsible for its content.


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