

Press release

Inter-American Court of Human Rights

Corte IDH_CP-32/2024 English

If you are having trouble viewing this message click [HERE](#)



I/A Court H.R.
Protecting Rights

EL SALVADOR IS RESPONSIBLE FOR FORCED DISAPPEARANCES DURING THE ARMED CONFLICT: CASE OF CUÉLLAR SANDOVAL ET AL.

San José, Costa Rica, May 16, 2024. - In the Judgment notified today in the *Case of Cuéllar Sandoval et al. v. El Salvador*, the Inter-American Court of Human Rights declared the State of El Salvador responsible for the forced disappearance of Patricia Emilie Cuéllar Sandoval, Mauricio Cuéllar Cuéllar and Julia Orbelina Pérez. It also concluded that the disappearance of Patricia Emilie Cuéllar Sandoval was a violation of the right to defend human rights, and declared the responsibility of El Salvador for the effects on the victims' next of kin.

In the instant case, the State partially acknowledged its international responsibility, insofar as it recognized and accepted that the disappearance of Patricia Emilie Cuéllar Sandoval, Mauricio Cuéllar Cuéllar and Julia Orbelina Pérez occurred in the context of a pattern of forced disappearances committed during the internal armed conflict of El Salvador. Moreover, it recognized that "for several years" there was "inactivity" in the proceedings to investigate the facts of the case. Lastly, it indicated that the next of kin of Patricia Emilie Cuéllar Sandoval, Mauricio Cuéllar Cuéllar and Julia Orbelina Pérez can be recognized as indirect victims if and when a direct relationship to the victims can be confirmed.

The official summary and the full text of the Judgment can be accessed [here](#).

During the armed conflict in El Salvador from 1980 to 1991, repression was aimed at "political organizations, professions and organized sectors of Salvadoran society," attacking "human rights organizations" such as Socorro Jurídico del Arzobispado de El Salvador (Christian Legal Aid).

Since 1975, Patricia Emilie Cuéllar Sandoval was an active collaborator of Christian movements and worked as a secretary for Christian Legal Aid from 1979 to 1980. Since she began working, Ms. Cuéllar Sandoval was persecuted and harassed due to her work with the organization.

She was last seen on July 28, 1982, after dropping off her children at daycare. During that night and dawn of the next day, Mauricio Cuéllar Cuéllar, father of Ms. Cuéllar Sandoval, and Julia Orbelina Pérez, domestic worker, were violently removed from their home. To date their whereabouts are unknown.

Due to the disappearance of the victims, Francisco Álvarez Solís and Teresa Pérez de Ramos filed writs of habeas corpus in favor of their next of kin. These were closed, with negative results. Criminal investigations on the kidnapping and disappearance were also opened, but to date they are in the initial investigation stage

In the Judgment, the Court confirmed that, as acknowledged by the State, the disappearance of the alleged victims occurred during the "pattern of forced disappearances committed during the internal armed conflict of El Salvador." Based on the State's acknowledgment of responsibility, the Court found the State responsible for the forced disappearance of the victims. Therefore, it declared the violation of Articles 3, 4.1, 5.1, 5.2 and 7 of the American Convention in relation to Article 1.1 thereof, to the detriment of Mauricio Cuéllar Cuéllar and Julia Orbelina Pérez.

The Court also highlighted the importance of the work of human rights defenders as a key element to strengthen democracy and the rule of law. In this specific case, it determined that Ms. Cuéllar Sandoval received threats due to the work performed at the Christian Legal Aid office and found strong indications that her disappearance was related to her activities as a human rights defender. Based on the foregoing, it concluded that the State is responsible for the violation of the right to defend human rights of Patricia Emilie Cuéllar Sandoval. Therefore, the Court declared the violation of Articles 3, 4.1, 5.1, 5.2, 7, 13.1 and 16.1 of the American Convention in relation to Article 1.1 thereof, to the detriment of Patricia Emilie Cuéllar Sandoval.

Furthermore, the Court concluded that although more than 41 years have passed since the disappearance of the victims the situation remains in impunity, since their whereabouts and the identity of the perpetrators of this grave human rights violation are unknown. This is a violation of the rights to judicial guarantees and judicial protection, contained in Articles 8.1 and 25.1 of the American Convention, in relation to Article 1.1 thereof, to the detriment of the victims and their next of kin. It also declared the violation of the right to the truth contained in Articles 8.1, 13.1 and 25.1 of the American Convention, in relation to Article 1.1 thereof, to the detriment of the next of the victims.

In addition, the Court considers that the facts of this case had serious effects on the personal integrity of the victims' next of kin. The Court confirmed that Ms. Cuéllar Sandoval's children were minors at the time of their mother's disappearance, which profoundly affected their lives and had consequences on their personal development and their family. Based on the foregoing, the Court concluded that the State violated the right to personal integrity contained in Article 5.1 of the American Convention, in relation to Article 1.1 thereof, to the detriment of the victims' next of kin, as well as the rights of the family and the rights of the child, contained in Articles 17 and 19 of the American Convention, in relation to Article 1.1 thereof, to the detriment of Ms. Cuéllar Sandoval's children.


Based on these violations, the Court ordered several reparation measures.

The Court's composition for the issuing of this judgment was as follows: Judge Nancy Hernández López, President (Costa Rica); Judge Rodrigo Mudrovitsch, Vice-President (Brazil); Judge Humberto Antonio Sierra Porto (Colombia); Judge Eduardo Ferrer Mac-Gregor Poisot (Mexico); Judge Ricardo C. Pérez Manrique (Uruguay); Judge Verónica Gómez (Argentina) and Judge Patricia Pérez Goldberg (Chile).

This press release was drafted by the Registrar's Office of the Inter-American Court of Human Rights; it is solely responsible for this document.

For more information on the Inter-American Court of Human Rights, please visit www.corteidh.or.cr or write to the Registrar, Pablo Saavedra Alessandri, at corteidh@corteidh.or.cr. To contact the press office please write to Danniell Pinilla at prensa@corteidh.or.cr.

You may subscribe to the Court's information services [here](#). If you wish to unsubscribe, please send an email to comunicaciones@cortheidh.or.cr. You may also follow the Court's activities through [Facebook](#), [Twitter](#) (@CorteIDH for the account in Spanish and IACourtHR for the account in English), [Instagram](#), [Flickr](#), [Vimeo](#), [YouTube](#), [LinkedIn](#) and [SoundCloud](#).

Inter-American Court of Human Rights. 2024. 
This work is protected by [Attribution-NonCommercial-NoDerivs 3.0 Unported](#) Avenida 10,
Calles 45 y 47 Los Yoses, San Pedro, San José, Costa Rica.