

# Press Release

Inter-American Court of Human Rights

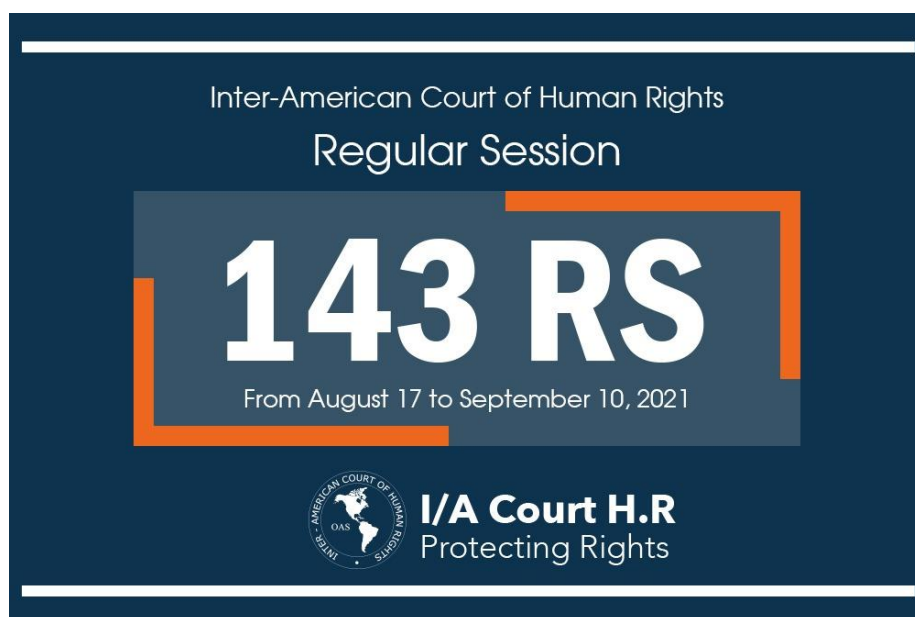
I/A Court H.R.\_PR-52/2021 English

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## I/A Court H.R. Protecting Rights

### INTER-AMERICAN COURT OF HUMAN RIGHTS WILL HOLD ITS 143<sup>RD</sup> REGULAR SESSION PERIOD



*San José, Costa Rica, August 10, 2021.* The Inter-American Court will hold its 143rd Regular Session Period from August 17 to September 10, 2021.

The Court will meet virtually. During the session, it will deliberate six Judgments and hold Hearings on Monitoring Compliance with Judgment and on Provisional Measures. The Court will also examine various matters concerning measures related to Monitoring Compliance with Judgments and Provisional Measures, and will handle different administrative issues.

Information on the activities of the 143rd Regular Session Period will be published periodically.

#### **I. Judgments**

The Court will deliberate judgments in the following contentious cases:

##### **a) Case of Ríos Ávalos et al. v. Paraguay**

The case relates to a series of alleged violations of the guarantees of due process in the context of the impeachment proceedings that culminated in the dismissal of the presumed victims, Bonifacio Ríos Avalos and Carlos Fernández Gadea, from their posts as Judges of the Supreme Court of Justice of Paraguay in 2003.

It is alleged that the State violated the right to a hearing by a competent authority in proceedings previously established by law. In this regard, it is argued that, after charges had been brought against the presumed victims, the Senate issued Resolution No. 222 which established the Regulations for Processing an Impeachment Proceeding, as well as procedural rules for impeachment proceedings that had a substantive impact on the exercise of the right of defense and on other aspects related to the guarantees of due process. It is also alleged that the State violated the right to an impartial judge because the regulations that were issued did not permit any challenges against the disciplinary body.

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

#### **b) Case of Villarroel Merino et al. v. Ecuador<sup>1</sup>**

The case relates to the presumed unlawful and arbitrary detention of the (then) officers of the National Police: Jorge Villarroel Merino, Mario Rommel Cevallos Moreno, Jorge Coloma Gaybor, Fernando López Ortiz, Amílcar Ascazubi Albán and Patricio Vinuesa Pánchez in May 2003, as well as to the presumed violation of judicial guarantees in the proceedings instituted against them for the offense of embezzlement. Regarding their detention, it is alleged that the State of Ecuador had imposed compulsory pre-trial detention, thus violating the principle of equality before the law. In addition, it is argued that the length of the detention was unreasonable because, while it lasted, it was not revised from time to time and also, it was arbitrary because, in practice, the exceptional nature of this measure was inverted. Furthermore, it is alleged that, due to the foregoing, the presumed victims filed a series of remedies that were neither appropriate nor effective to obtain due judicial protection.

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

#### **c) Case of Bedoya Lima et al. v. Colombia<sup>2</sup>**

The case relates to a series of alleged human rights violations derived from the kidnapping, torture and rape of the journalist Jineth Bedoya Lima for reasons linked to her profession, and the alleged failure of the State to adopt adequate and timely measures to protect her and to prevent the occurrence of the said facts. It is alleged that the journalist Jineth Bedoya was kidnapped in front of a state prison and retained for several hours while she was carrying out her journalistic activities in the context of an investigation into the confrontation between paramilitaries and members of ordinary criminal groups inside the Model National Prison. On this basis, it is argued that the Colombian State was aware of the situation of real and imminent danger that the journalist faced and failed to take reasonable measures to protect her. It is also alleged that the State had a special obligation to act with due diligence to protect Jineth Bedoya against attacks against her personal safety and acts of sexual violence owing to the generalized context of sexual violence against women that had purportedly characterized the Colombian armed conflict.

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

#### **d) Case of Lemoth Morris et al. v. Honduras**

The case relates to the alleged violation of numerous rights of a group of persons belonging to the Miskito indigenous people who inhabit the department of Gracias a Dios. It is argued that the State violated the right to personal integrity of 34 Miskito divers who suffered accidents resulting in decompression sickness owing to the deep dives they performed. It is also alleged that the State violated the right to life of the 12 Miskito divers who died moments after such accidents. This was because the State's omissions and indifference in relation to the problem of labor exploitation by fishing enterprises and dives being carried out in dangerous conditions resulting in the said accidents was revealed by the lack of adequate oversight, which was alleged to be an absolute lack of prevention. In addition, owing to the particular seriousness of the problem and the length of time during which the State failed to respond to it despite being fully aware of the situation and its consequences, it is alleged that the State's omission can also be understood as a form of tolerance.

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

#### **e) Case of Garzón Guzmán v. Ecuador<sup>3</sup>**

The Case relates to the presumed forced disappearance of César Gustavo Garzón Guzmán, on November 9, 1990, in Quito, Ecuador. It is argued that this occurred in a general context of forced disappearances committed by State agents against people identified as being members of the "*Alfaro Vive Carajo*" and "*Montoneras Patria Libre*" subversive groups. It is also alleged that the case was documented as a forced disappearance committed by the National Police in the report of the Ecuadorian Truth Commission and that there was sufficient evidence to conclude that César Gustavo Garzón Guzmán had been deprived of his liberty by state agents. It is also argued that, in the context that prevailed at the time and taking into account the evidence in the case file, the authorities' refusal to acknowledge the detention had constituted a cover-up of the facts.

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

#### **f) Case of Barbosa de Souza et al. v. Brazil**

The case relates to the alleged violation of the mental and moral integrity of the mother and father of Márcia Barbosa de Souza who was murdered, presumably by a former state representative, as well as the situation of impunity. It is argued that parliamentary immunity had caused an excessive delay in the criminal process and that the investigation and criminal proceedings had lasted more than nine years, resulting in a violation of the guarantee of a reasonable time and a denial of justice. Therefore, it is alleged that the State violated the rights to judicial guarantee and judicial protection, and also to equality and non-discrimination, in relation to the right to life, as well as Article 7 of the Inter-American Convention for the Prevention, Punishment and Eradication of Violence against Women.

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

### **II. Hearings on Provisional Measures**

#### **a) Public hearing on Monitoring Urgent Measures in the Matter of Juan Sebastián Chamorro et al. regarding Nicaragua**

The hearing will be held on Friday, August 27, 2021, starting at 8 a.m. (Costa Rican time). It will be transmitted by the Inter-American Court's social networks.

#### **b) Public hearing on Request for Provisional Measures in the Case of Valenzuela Ávila v. Guatemala**

The hearing will be held on Friday, August 27, 2021, starting at 10.30 a.m. (Costa Rican time). It will be transmitted by the Inter-American Court's social networks.

### **III. Hearings on Monitoring Compliance with Judgments**

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

#### **a) Public hearing on Monitoring Compliance with Judgment in the Case of Favela Nova Brasília v. Brazil**

The hearing will be held on Friday, August 20, 2021, starting at 8 a.m. (Costa Rican time). It will be transmitted by the Inter-American Court's social networks.

#### **b) Private hearing in the Case of Heliodoro Portugal v. Panama**

The hearing will be held on Friday, August 20, 2021.

#### **IV. Monitoring Compliance with Judgments, Provisional Measures, and administrative matters**

The Court will also monitor compliance with several Judgments and implementation of the Provisional Measures that it is overseeing, and also continue processing cases, Provisional Measures and Advisory Opinions. Furthermore, it will deal with various administrative matters.

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<sup>1</sup> Judge Patricio Pazmiño Freire, an Ecuadorian national, will not take part in the deliberation of the judgment in this case pursuant to Art. 19 of the Court's Rules of Procedure.

<sup>2</sup> Judge Humberto Antonio Sierra Porto, a Colombian national, will not take part in the deliberation of the judgment in this case pursuant to Art. 19 of the Court's Rules of Procedure

<sup>3</sup> Judge Patricio Pazmiño Freire, an Ecuadorian national, will not take part in the deliberation of the judgment in this case pursuant to Art. 19 of the Court's Rules of Procedure.

The Court's composition 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).

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