

Press Release

Inter-American Court of Human Rights

I/A Court H.R._PR-88/2020 English

Should you have any trouble viewing this message, please click [HERE](#)



I/A Court H.R. Protecting Rights

INTER-AMERICAN COURT HOLDS 136th REGULAR SESSION

San José, Costa Rica, September 4, 2020. The Inter-American Court has held its 136th regular session which took place from August 24 to September 3, 2020.

Owing to the situation arising from the COVID-19 pandemic, the Court met virtually in order to deliberate judgments, issue orders on monitoring compliance with judgment, examine various issues related to provisional measures, and deal with different administrative matters.

I. Judgments

The Court deliberated on the following contentious cases:

a. Case of *Urrutia Laubreaux v. Chile*¹

The case relates to alleged human rights violations in the context of a disciplinary procedure that culminated with a censure, later reduced to a private reprimand, against Judge Daniel Urrutia Laubreaux, presumably because he sent an academic paper to the Supreme Court of Justice criticizing its actions during the Chilean military regime. It was argued that the State had presumably violated the presumed victim's rights to prior notification in detail of the charges against him and to have adequate time and means for the preparation of his defense because it was alleged that he was not notified that a disciplinary procedure had been brought against him, the reasons for this procedure or the rules that he might have breached with his conduct.

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

b. Case of *Acosta Martínez et al. v. Argentina*²

The case relates to the alleged international responsibility of the Argentine State for the presumed detention and subsequent death of Jose Delfín Acosta on April 5, 1996. Mr. Acosta was an Afrodescendant and a national of Uruguay. It was alleged that his detention was unlawful, arbitrary and discriminatory. It was also argued that since Mr. Acosta's injuries and death occurred while he was in the State's custody, the international responsibility of the State should be presumed. Similarly, it was argued that the state authorities failed to provide the immediate assistance that the presumed victim required at the time of his detention, and failed to act in order to safeguard his physical integrity and his life, despite its special position as guarantor of those who are detained. Consequently, it was alleged that the State had violated José Delfín Acosta's rights to life, personal integrity, personal liberty, and to equality and non-discrimination.

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

c. Case of Fernández Prieto *et al.* v. Argentina³

The case relates to the presumed unlawful and arbitrary detention of Carlos Alberto Fernández Prieto in May 1992, and Carlos Alejandro Tumbeiro in January 1998, by agents of the Police of the province of Buenos Aires and the Argentine Federal Police. It was alleged that both detentions had been carried out without a court order and without the presumed victims being found *in flagrante delicto*. Furthermore, in both cases, the respective police documentation failed to establish in detail the objective factors that gave rise to a reasonable suspicion that an offense had been committed.

It was argued that, in the case of Mr. Fernández Prieto there was a complete absence of any explanation while, in the case of Mr. Tumbeiro, the explanation related to a supposed “state of nervousness” and the “inconsistency” between his clothes and the objects he was carrying and the area in which he was found; arguments that were insufficient to justify the suspicion that an offense had been committed.

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

II. Request for an Advisory Opinion on the Scope of State obligations with regard to the guarantees 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

The Inter-American Court heard the observations of the Inter-American Commission of Woman (CIM).

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

III. Actions taken in cases being processed

Actions were taken to hear the testimony of presumed victims in the following cases that are being processed:

- Olivares Muñoz *et al.* v. Venezuela (1 declaration)
- Mota Abarullo *et al.* v. Venezuela (2 declaration)

IV. Orders issued on Monitoring Compliance with Judgment and on requests for Provisional Measures

The Court issued orders on Monitoring Compliance with Judgment and on requests for Provisional Measures in the following cases:

- Case of Villamizar Durán *et al.* v. Colombia⁴
- Case of Tenorio Roca *et al.* v. Peru
- Case of Luna López v. Honduras
- Case of Ruiz Fuentes *et al.* v. Guatemala⁵
- Case of the Garífuna Triunfo de la Cruz Community and Punta Piedra v. Honduras
- Case of the Pueblo Bello Massacre, Case of the Ituango Massacres and Case of Valle Jaramillo *et al.* v. Colombia⁶
- Case of Molina Theissen v. Guatemala
- Case of Galindo Cárdenas *et al.* v. Peru

V. Monitoring Compliance with Judgment, Provisional Measures, and administrative matters

The Court also monitored compliance with several Judgments and implementation of Provisional Measures that it is considering, as well as the processing of cases, Advisory Opinions and matters of an administrative nature.

¹ Judge Eduardo Vio Grossi did not take part in the consideration or deliberation of any of the cases against Chile, pursuant to Article 19(1) of the Court's Rules of Procedure.

² Judge Eugenio Raúl Zaffaroni did not take part in the consideration or deliberation of any of the cases against Argentina, pursuant to Article 19(1) of the Court's Rules of Procedure.

³ Judge Eugenio Raúl Zaffaroni did not take part in the consideration or deliberation of any of the cases against Argentina, pursuant to Article 19(1) of the Court's Rules of Procedure.

⁴ Judge Humberto Antonio Sierra did not take part in the consideration or deliberation of any of the orders with regard to Colombia, pursuant to Article 19(1) of the Court's Rules of Procedure.

⁵ Judge Eugenio Raul Zaffaroni did not take part in the consideration or deliberation of this order.

⁶ Judge Humberto Antonio Sierra did not take part in the consideration or deliberation of any of the orders with regard to Colombia, pursuant to Article 19(1) 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 MacGregor (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.

For the latest information please visit the website of the Inter-American Court, <http://www.corteidh.or.cr/index-en.cfm>, or send an email to Pablo Saavedra Alessandri, Secretary, at corteidh@corteidh.or.cr. For press inquiries please contact Matías Ponce at prensa@corteidh.or.cr.

You can subscribe to the information services of the Court [here](#). You can sign up for updates from the court here or unsubscribe sending an email to comunicaciones@corteidh.or.cr. You can also follow the activities of the Court on [Facebook](#), [Twitter](#) (@CorteIDH for the Spanish account and @IACourtHR for the English account), [Instagram](#), [Flickr](#), [Vimeo](#) and [Soundcloud](#).

Corte Interamericana de Derechos Humanos. 2020.  BY-NC-ND

Esta obra está bajo una [Licencia Creative Commons Atribución-NoComercial-SinDerivadas 3.0 Unported](#)

Avenida 10, Calles 45 y 47 Los Yoses, San Pedro, San José, Costa Rica.