
Caso Maricruz Hinojosa e Outras Vs. República de Fiscalândia

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ORV GHUHFKRV KXPQQRV HQ HO XPEUDO GHO VLJOR ;;;,'

(6 & : \$ Women in the Judiciary: A Stepping Stone towards Gender Justice

3

, '/ 2 Women delivering Justice: contributions, barriers, pathways 5 HSRUW 3

3,29(6\$1)OiYLD)\$&+,1 0HOLQD *LUDUGL 0\$==82/, 9D

Comentários à Convenção Americana sobre Direitos Humanos

3

/('(60\$ +pFWRU)D~QGH] (O DJRWDPLHQWR GH ORV UHF]

,QWHUDPHULFDQR GH 3URWHFFLYQ3GH ORV 'HUHFKRV +XPDC

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CASOS LEGAIS

CtIDH

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ABREVIATURAS

\$UW V \$UWLJR V

† †† 3DUiJUDIR V

&\$'+ &RQYHQomR \$PHULFDQD VREUH 'LUHLWRV +X

&\$'+3 &RPLVVmR \$IULFDQD GRV 'LUHLWRV +XPDQRV

&'+ &RPLWr GH 'LUHLWRV +XPDQRV GD 218

&('\$: &RPP Low We Elimination of Discrimination Against Women

&,'+ &RPLVVmR ,QWHUDPHULFDQD GH 'LUHLWRV +

& + &DVR +LSRWpWLFR

&RUWH 6XSUHPD &RUWH 6XSUHPD GH -XVWLod GH)LVFDOKQGLD

&W,'+ RX &RUWH &RUWH ,QWHUDPHULFDQD GH 'LUHLWRV +XPD

&W('+ &RUWH (XURSpLD GH 'LUHLWRV +XPDQRV

'3/) Due Process of Law Foundation

(6&:\$ (FRQRPLF DQG 6RFLDO &RPLVLVLRQ IRU :HVW

(VWDGR RX)LVFDOKQGLD &RUWH 6XSUHPD GH)LVFDOKQGLD

,'/2 ,QWHUQDWLRQDO 'HYHORSPHQW /DZ 2UJDQL

-XQWD -XQWD GH 3RVWXODomR

2& 2SLQLmR &RQVXOWLYD

3 (3HUJXQWD GH (VFODUHFLPHQWR

6XSUHPD &RUWH &RUWH 6XSUHPD GH -XVWLod GH)LVFDOKQGLD

1. DECLARAÇÃO DOS FATOS

A República de FiscalândiaSDVVRX SRU TXDVH YLQWH DQRV VHP DO
DWp TXSHURHL[GHQWH 5DPLUR 6DQWD 0DULD UHHOHLWR WUR
XP JROSH GH (VWDGR

\$VVLP IRL LQVWDXUDGD XPD \$VVHPEOHLD &RQVWLWXL
&RQVWLWXLomR 3ROtWLFD YLJHQWH GHVGH \$ &DU
D UHHOHLomR SUHVLGHQFLDO DEVROXWDPHQWH

\$GHPDLV D &RQVWLWXLomR HVWDEHOHFH D VHSDUDomR
3RGHUHV ([HFXWLYR /HJLVODWLYR -XGLFLiULR H \$XGLWRU

2 3RGHU \$XGLWRU p HQFDEHUDDGR QRFD 3RFXOR 3RUHV
SDUWLU GH XPD WHUQD SURSRVWD SHOD -XGHOEomR 3RHWX
FDQGLGDWXUDV jV DOWDV IXQo}HV S~EOLFDV

Seguindo esse rito, Magdalena Escobar foi nomeada ProcuradorGeneral em
01/09/2005, por um período de 15 anos. &RQIRUPH D &RQVWLWXLomR D
HQFRQWUDVVHP H[HUFHQGR DWURVXOORLPDGHQGRVGVHUVXBV

6XFHVVLVDPHQWH RXWUDV PHQVDJHQV GH 0DWDOHQJ
MRUQDOLVWD GH(SV0DWDURDQR' 0HYHODGR TXH WDLV FRP
SHTXHQD DPRVWUD GH XPD DPSOD UHGH GH FRUUXSomR H
\$QWH j JUDYLGdGH 0DJGDOHQD (VFREDU GHWHUPLQRX
(VSHFLDO SDUD LQYHVWLJDU R FDVR /RJR HP VHJXLGD
HVWDEHOHFHQGR TXH R PDQGDWR GH 0DJGDOHQD HUD WUD
VXFHVVRU GHWHUPLQDQGR D FULDomR GH XPD -XQWD GH 3
'RLV PHVHV GHSRLV 0DJGDOHQD DSUHVHQRXQRPD GHG
FDVR 30(7\$ &RUUHLRV' \$LQGD HP IDFH GD LPLQHqWH FRQ
*HUDO LQWHUS{V XPD SHWLomR GH QXOLGDGH FRQWUD R 'H
DGPLQLVWUDWLYR FRUUHVSRQGLD D XPD UHPRomR GR FDU
\$GHPDLV UHTXHUX D PHGLGD FDXWHODU GH VXVSHQV
GD -XQWD VRE SHQD GH GDQR LUUHSDUIYHO \$SHVDU GR
VXVSHQVmR IRL DQXODGD SHOD 6HJXQGD 6DOD GH \$SHODo
2 'HFUHWIRL HQWmR H[HFXWDGR H QRPHDGRV RV PH
0DJGDOHQD LQWHUS{V XPD SHWLomR SHUDQWH D &
\$SHQDV HP IRL HPLWLGD D VHQWHQoD GH PpULW
SRU 0DJGDOHQD DSYV D QRLQD ofRP 3 B UHFDQJGR DUW
(P D &,'+ GHFODURX DGPLVVtYHO D SHWLomR H
QR TXDO FRQVLGHURX TXH)LVFDOKQGLD YLRORX RV DUWL
GD &\$'+

Maricruz Hinojosa e Sandra del Mastro foram duas das oito mulheres que apresentaram candidaturas à Junta para concorrer ao cargo de Procurador-Geral.

\$PEDV VmR SURFXUDGRUDV FRP SDUWLFLSDomR HP LQYHVW
KXPDQRV

(P IRL UHDOLJDGD D SULPHLUD VHVVmR SULYD
WH[WR GD FRQYRFDWyULD S~~~ELVDEHFDRQRVHDFD~~ VGRWSD
\$V GLUHWUL]HV SDUD D DYDOLDomR GRV FDQGLGDWRV IRU
-XQWD DSYV DV LQVFUHLQ]HR GRVD FDSXGLGLW]DGDV

\$SOLFDGD D SURYD GH FRQKjHFXDQWRDomR SRGRHG BQWHF
FDQGLGDWRV UHVWDQGR GLVSRVWR QD VHVVmR GH
TXDWUR GRVVLrV H RXWRUJDULD SRQWXDomR GH D V

UHQRyDomR GD FRQFHVVmR GD WUDQVPLVVRUD 5DGLR &DU
HPLVVRUDV TXH FRPSDUWLOKDYDP FDUDFWHUtVWLFDV VLP

Ð e6RI ° PQD GDWD HP TXH H[SLURX D GD 5&79 HFÐ0

2.3.2. VIOLAÇÃO AO DIREITO DE ASCENDER AOS CARGOS PÚBLICOS EM
CONDIÇÕES DE IGUALDADE (ART. 23.1.c) E À IGUALDADE PERANTE À LEI
(ART. 24)

§ QRP HDomR GR FKHIH GR 0LQLVWpULR 3~EOLFR p XP
LPSRUWkQ\$UBIYTHQmDR H SHUVHFXomR SHQDO SRV VXHP SDU
GRVWDGRJR R PHFDQLVPR XWLLOLJDGR QR SURFHVV R GH VH
FLGDGmRV QDV GHPDLV LQVWLWXLo}HV TXH FRPS}HP R VLV

- YLVWD GLVVR D &W,'+ HQWHQGH TXH R UHVSHLWR H D

ED &\$'+ VH FXPSUHP TXDQGR RV FULWpULRV H SURFHQ
UDJRIYHLV H REMMMISYHOD S/DXQDQGBRFRPIRDWDS&EDELGHGDRH
VH GDGLDQWH R UHVSHLWR DR SULQFtSLR GD LJXDOGDGH H
GLUHLWR

\$VVLP RV (VWDGRGHSYRIGDRP WDU PHGLGDV OHJDLV SDUD
VHMD JDUDQWLGR jV PXOKHUHV QRVHPHFVPRWRDRQSLD/FRXH
JDUDQWLD DR GLUHLWR GH LJXDOGDGH SHUDQWH D OHL D

(QWUHWDAQWR VmR HYLGHQWHV DV DIURQWDV GR (V
VXSUDFLWDGRV FRQIRUPH VH YHUI DGLDQWH

2XWURVVLP QD HWDSD GH TXDOLILFDomR GRV DQWHFHG
FHUWDPH QmR IRUDP HVWDEHOHFLGRV FULWpULRV REMHW
PHPEUR GD -XQWD DQDOLVRX TXDWUR GRVVLrV H ³VHJXQG
DRV FDQGLGDWRV
(VVD DXVrQFLD GH REMHWLYLGDGH GH FULWpULRV QmR
SRP

\$OLiV D DXVrQFLD GH FULWpULRV REMHWLYRWHRD PRGL
WUDQVFXUVR GH XP SURFHGLPHQWR SUHMXGLFD GLUHW
1R SUHVHQWH FDVR D SRQWXDomR PtQLPD QD DYDOLD
SHOD -XQWD QR GHFRUUPRGRGRXSURFFHLQJR 0DUWtQH] S{GH S
FHUWDPH PHVPR WHQGR LQLFLDOPHQWXXH UDHSBRWXGR nQH VW
IRL DOWHUDGD MXVWDPHQWH SDUD D QRWD REWLGD SRU 0
&RQVHTXHQWHPHQWH 0DULFUX] H 6DQGUD HPERUD IRV
GHVHPHQKR QR SURFRVVRJVVHOMWLYR QD WHUQD H 0DUV
3URFXUDGRD HP TXH SHVH HVWLYHVH QD • FRORFDomR
DSyV D TXDOLILFDomR GRV FDQGLGDWRV
,VVR HYLGHFRSUDRFXGLPHQWR GD -XQWD QmR SDVVRX GH
TXH QmR IRL R PpULWR TXH GHWHUPLQRX DHUORGRGD GH
)LVFDOKQGLD VHQmR UD]}HV DOKHLDV DR LQWHUHVVH S~E
\$ SURFRVLD '3/) HVWDEHOHFH FRVPRXSULGHFRORRPRWHD
SURFHVVR GH VHOHmR D VXD FRQGXomR FRP EDVH HVWUL
JDDU @ QW,AE@ @D @ 3050 @ JMD%€ 0RE\m% N% U U p D FRH

,VVR UHYHOD XPD YLRODomR GR GLUHLWR j LJXDOGDGH
XPD YH] TXH D &W,'+ FRQVLGHUD TXH R GLUHLWR j LJXDOG
FRQFHSo}HV XPD FRQFHSomR QHJDWLYD UHODFLRQDGD j
WUDWDPHQWR H XPD FRQFHSomR SRVLWLYD UHODFLRQD
FRQGLo}HV GH LJXDOGDGH UHDO SHUDQWH JUXSRV TXH IF
FRUUHP PDLRU ULVFR GH VHUHP GLVFULPLQDGRV

1HVVH FHQiULR HP UHODomR j VHJXQGD FRQFRHSomR R
DFHVVR OLPLWDGR GDV PXOKHUHV HP SRVLo}HV GH SRGHU
GLVFULPLQDomR KLVWyULFD TXH VRIUHUDP DWUDYpV GD T
SRGHU HQWUH KRPHQV H PXOKHUHV VHQGR RV HVWHUHyW

1R SURFHGLPHQWR VHOHWLYR* ~~EDDD~~ ~~BF~~ ~~D~~ ~~U~~ ~~R~~ ~~D~~ ~~O~~ ~~H~~ ~~O~~ ~~G~~ ~~I~~ ~~R~~ ~~D~~ ~~X~~ ~~D~~
VX~~E~~HSUHVHQWDomR GH PXOKHUHV LQVFULWDV GDV SRXFD
GHODV FRPS{V D WHUQD HVFROK~~V~~~~GR~~ ~~S~~ ~~H~~ ~~D~~ ~~Q~~ ~~-~~ ~~W~~ ~~Q~~ ~~W~~ ~~D~~ ~~G~~ ~~H~~ ~~[~~ ~~S~~ ~~R~~ ~~W~~ ~~M~~
LPSHGLPHQWRV QR DFHVVR GDV PXOKHUHV DRV FDUJRV S~
KLVWyULFD

(QIDW~~H~~]DDVLP R GHYHU GRV (VWDGRV HP DGRWDU WR
HOLPLQDU D GLVFULPLQDomR FRQWUDDDQ~~W~~ ~~U~~ ~~D~~ ~~Q~~ ~~W~~ ~~L~~ ~~O~~ ~~K~~ ~~R~~ ~~I~~ ~~S~~ ~~O~~ ~~H~~ ~~Q~~ ~~B~~ ~~M~~ ~~L~~
VHXV GLUHLWRV SROtWLFRRV HP XPD GHPRFUDFLD SDUWLFL
HVSH~~M~~~~L~~~~D~~~~S~~~~R~~~~U~~~~S~~~~U~~~~L~~~~Q~~~~D~~ p LPSRUWDQWH IULVDU TXH PHGLGDV
SUHYLVWDV SDUD R EHI~~Q~~~~H~~~~L~~~~F~~~~R~~~~L~~~~R~~ ~~G~~ ~~H~~ ~~L~~ ~~J~~ ~~R~~ ~~X~~ ~~S~~ ~~H~~ ~~R~~ ~~V~~ ~~F~~ ~~R~~ ~~V~~ ~~S~~ ~~D~~ ~~H~~ ~~W~~ ~~H~~ ~~U~~ ~~D~~ ~~V~~ ~~C~~

& W ,.' Furlán y familiares Vs. Argentina 6 HQWHQoD †
& ('\$: *HQHUDO 5HFRPPHQGDWLRQ Qž
& + †
& ('\$: *HQHUDO 5HFRPPHQGDWLRQ Qž

HVWUXWXUDLV VmR XP LPSRUWDQWH DVSHFWR GR (VWDGR
1HV V H DVSHFWR)LVFDOKQLD IDOKRX QR VHX GHYHU
SUHVHQWH FDVR YLVWR TXH VmR LQH[LVWHQWHV PHGLGDV
GD LJXDOGDGH GH JrQHUR QR DFHVVR DRV FDUJRV S~EOLF
\$OpP GD IDOKD D SDUWLU GHVVD FRQFHSomR SRVLWLYD
GLUHLWR j QmR GLVFULPLQDomR HP VXD FRQFHSomR QHJDV
TXH XPD GLIHUHQoD GH WUDWDPHQWR p GLVFULPLQDWyU
REMHWYDiYHO

1D HWDSGDV HQUHYLVWDV GRV FDQGLGDWRV 0DU
PXOKHUV DR FDUJR TXH FKJDDP j HWDSGD REWLYHDP
DRV FDQGLGDWRVOKHPLQDWBQSDV XPD SHUJXQWD

,QH[LVWH TXDOPHQWRHRODYLILFDWLYD SODXVtYHO S
VHQGR TXH DSHQDV DV GXDV FDQGLGDWDV PXOKHUV TXH
GHVSUHVWLJLDGDV SHOD -XQWD DR SDVVR TXH DRV GHPDL
SHUJXQWDV VREUH VHXV DQWHFHGHQWHV H VREUH VHXV S

5HVVDHWHGHPDLV TXH RV (VWDGRWGHUHPDELVDHU TX)
TXDOTXHU IRUPD YLVHP GLUHWD RX LQGLUHWDPHQWH FU
GH GLUHLWRGR R &RPLVrGLV\$ULPLQDomR LQGLUHWD FRQV
RX SUIWLFDDSDUHQP HQWH QHXWUD TXH WHQKD UHSU

SHVVRD RX JUXSR FRP FHUWDV FDUDFWHU t VWLFDV

HVFROKLGR 3URFXUDGRU *HUDO GHWLQKD GLYHUV DV FRQH
\$GHPDLV D &W,'+ FRQVLGHUD TXH D FRUUXSomR p XP RE
GRV GLUHLWRV KXPQQRV DIHWDQGR GH XPD PDQHLUD SDU
9LVWR TXH D HVFROKD GH 0DUWtQH] VH GHX HP XP FRQ
VXD HVFROKD HYLGHQFLD XPD WHQWDWLYD GH FRQWHU DV
PRGR DV SURFXUDGRUDV HQTxDQWR PXOKHUHV IRUDP DI
GD -XVWL0D VRIUHQGR GLVFULPLQDomR LQGLUHWDP HP UD]
(P VXPDP)LVFDOKQGLD QmR DGRWRX PHGLGDV DSURSUL
FRQWUD PXOKHUHV QD YLGD SROtWLFDP H S~EOLFD GR SDtV
FDUJRV S~EOLFRV HP LJXDVGD BRGGH YLRQGLX}RW DUW
UHODomR DR DUW GD &RQYHQomR HP SUHMxt]R GH 0DU

2.3.3 VIOLAÇÃO AO DIREITO DE ACESSO À INFORMAÇÃO (ART. 13)

\$ 3URWHomR RXWRUJDGD SHOD &\$'+ HP VHX DUW LG
OLEHUGDGH GH H[SUHVVDU VH XV SUGLISWHLRWRS HQD/ DFLHQW B D

RV GDTXHOHV FRQVLGHUDGRV ³DSWRV´ VHP MXVWLILFDU
FDQGLGDWXUDV

\$OpP GLVVR D UHVHUYD GHIWBBDRVSDMLQFHSVLRHVGDSSXEQ
WUDQVSDUrQFLD TXH GHYHP JXLDU RV SURFHVVVRV GH VHO
C J`A@PW@V D D PW

DGVWULWRV j GLVFULFLRQDULHGDGH GD -XQWD

(P VHJXQGR OXJDU D -XQWD VHTXHU DSUHVHQWRX MX
OHJLWLPLGDGH GD UHVWULOmR GR DFHVVR jVCasbJHWULJHV
Claude Reys y Otros Vs. Chile TXH UHVWULO}HV DR DFHVVR j LQIRU
HWDEHOHFLGDV SUHFLVDPHQWH SRU OHL VHU QHFHVViU
SURSRUFLRQDO DR REMHWLYR GH SURWHomR´

\$LQGD D &,'+ DSUHVHQWD RXWURV GRLV UHTXLVLWRV
OLPLWDomR HVFULWD H PURIWLDDHGRXHFROQLWIDRQDRGWHDPSR
GH VXD FDXFRQWUiULR p FULDGR XP FDPSP IpUWLO SDUI
GLVFULFLRQiULD H DUELWUiULD QD GHFODUDomR GH LQI
FRQILGHQFLDO

1R FDVR HP FRPHQWR QHQKXP GHVWHV SDUKPHWURV I
SUHYLVmR OHJDO DV UHVWULO}HV QmR VmR QHFHVViULDV
OHJtWLPR SDUD WDQWR

1 RCaso Pueblos Kaliña y Lokono Vs. SurinamH VWD &RUWH HQWHQGHX TXH
TXH QHQKSPVDDHV REWLGD GR (VWDGR TXDQWR jV UD]}HV
LQIRUPDomR DOP GD YLRODomR GR DUWLJR WDO DWLW

9iOLGR OHPEUDU TXH D WUDQVSDUrQFLD SRVVXL XPD H
FRP R (VWDGR GH 'LUHLWR 2 &RPSURPLVVR GH /LPD D SUR
GH XPD JRYHUQDELOLGDGH GHPRFUiWLFD QR +HPLViPULR 6

& W , 'Claude Reyes y otros Vs Chile. 6 H Q W H Q o D †
& , ' + Estudio especial sobre el derecho de acceso a la información. Relatoría especial para la libertad de
expresión †
& W , 'Claude Reyes y otros Vs. Chile. H Q W H Q o D †
& R U W H , ' + Caso Pueblos Kaliña y Lokono Vs Surinam H Q o D †

0DULFUX] H 6DQGUD

2.3.4

yUJmR VXSHULRU

1 R F ~~Dot~~ Barbera V BÍÁâ° `Đ

\$ &W,'+ HVWDEHOHFH TXH D LPSDUFLDOLGDGH QmR SR
FRPR WDPEpP H[LJH TXH R MXL] RIHUHoD JDUDQWLDV VXILFI
UHIXWDU TXDLVTXHU G~YLGDV TXH R MXULVGLFLRQDGR RX
LPSDUFLDOLGDGH HVHQWH GR YHGHYXDU D FRQILDQoD TXH DV &
XPD VRFLHGDGH GHPRFUIWLFD

6HJXQGR D &W('+ R H[HUFtFLR GH GLIHUHQWH HV IXQo}HV
HQUUH IXQomR DFXVDWyULD H MXGLFLDO VXVFLWD G~YL
LPSDUFLDOLGDGH RORMDXPHORUQR SUHVHQWH FDVR R PHV
D GHFLVmR GH ODULDGRVFRVLYOSDDGRXHQHGWQRXoRRLQ
FRQWUD R MXL] DFDERX SRU MXOJi OR DR ILQDO GR SURFH

'HVWDUWHH RSDQFDHQGLPHQWRKamenos&W.(CyprusRFXFDVR
FRQVLGHURX YLRODGR R GLUHLWR GH VHU MXOJDGR SRU XP
TXH DFXVDUDP R PDJLVWUDGR QROSDODOWSBRVTHSDORQDU
R GR FD\$VRLP R (VWDGR YLRORX R GLUHLWR GH ODULDQ
LPSDUFLDO QRV WHUPRV GR DUW GD &\$'+

\$QWH WDLV YLRODmXGijFLOGHSDRGGHVLRVSDRFRVVR
GLUHLWR j SURWHomR MXGLFLDO &RQIRUPH D &W,'+ QmR
UHFUVRV TXH SHODV FRQGLo}HV JHUDLV GH XP SDtV RX
GDGR FDVR UHWXQWRPSRQXVYRURUHU SRU H[HPSOR TXD
LQHIHWLYR GHYLGR D XP 3RGHU -XGLFLiULR TXH FDUHoD G

& W , 'Tribunal Constitucional (Camba Campos y otros) Vs. Ecuador 6 H Q W H Q o D †
& U ('. Case of Harabin v. Slovakia 6 H Q W H Q o D †
& U (' Case of Kyprianou v. Cyprus 6 H Q W H Q o D †
& + †
& W (' Case of Kamenos v. Cyprus 6 H Q W H Q o D †† H
& W , '+ 2 & SDUHFHU †

FRP LPSDUFLDOLGDGH

ODULDQR IRL MXOJDGR SHOR 3OHQR GD &RUWH 6XSUHPD
SHOD PDLRULD TXDQWR R UHFXUVR UHVWDYD SUHMXGLFDGD
jV GLYHUV DV JDUDQWLDV DR GHYLGR SURFHVV 1HVVH SU
TXDQWR R UHFXUVR UHVWDYD SUHMXGLFDGD
~OWLPD LQVWkQFLD SHORR &RUWH 6XSUHPD &RUWH
SHORV PHVPRV PDJLVWUDGRV

(PLópez Lone y otros Vs. Honduras & W , '+ FRQFOXIX TXH FRPR TXDLV
HYHQWXDOPHQWH LQWHUSRVWRV HP IDFH GD GHFLV mR GI
&RQVWLWXFLRQDO GD 6XSUHPD &RUWH FXMRV PHPEURV FD
3OHQR GD &RUWH KDYLD SDUWLFLSDGR GR SURFHGLPHQWR
GR UHFXUVR UHVWDYD SUHMXGLFDGD

\$OLFDOHQW DO HQWHQGH PHQRWR XFRFOODomR DR GLUHI
HIHWLYR SUHYLVWR QR DUW GD &RQYHQomR HP SUHM
LJXDOPHQWH D YtWLPD HVWDYD GHVREULJDGD GH HVJRWD

+i GH WHGEM SRU ILP TXH R SURFHVV GLVFLSOLQDU I
GD /HL 2UJKQLFD GR 3RGHU -XGULILURR ŽGGD) &SF D H W Q L E H C
R (VSDGRV GHYH DGRW DU PHGLGDV SDUD TXH R HVWDEHO
FRSULGR HP VHX RUGH, QVRHQVSD LQDWHWDRE pP R GHYHU GH

Ibidem.

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- 3 (Qž
- 3 (Qž
- 3 (Qž
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& W , 'López Lone y otros Vs. Honduras HQWHQ o D †

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& W , '+ Castañeda Gutman vs. México HQWHQ o D †

OHJLVODomR DTXHODV GLVSRVLø}HV TXH YLROHP GLUHLWR
1HVVH VHQWLGR D OHL LQWHUQD GHYH JDUDQWLU R G
yUJmR LøSDUFLD

VLWXDomR LPSRVVtYHO GH VHU UHYHUWLGD SRUTXH DIHW

&XPSUH UHVVDOWDU QHVVD FLUFXQVWkRfdr R HQWHC

Trujillo Vs. Venezuela VHJXQGR R TXDO D PHGLGD GH UHVWLWXLomF

5HYHUyQ QmR DIHWDYD R GLUHLWR GR MXL] SURYLVyULR C

D YDOLGDGH GR DWR TXH GHVWLWXLX D MXt]D FRQVWLWxt

PDJLVWUDGR

\$LQGD DVVLP FRPR QR FDVR

MXGLFLDO QmRHSR GHHWDHGR JLPDOLGDGH GHYHQGR H[DPLQ
DUJXPHQWRV LQYRIFBGRVRSXWQURV OSDGR R FRQWH~GR GR DU
(VWDGR GHYH JDUDQWLU TXH D GHFLVmR TXH VH SURGX] DV
SDUD R TXDO HOH IRL FRQFHELGR

\$SHVDU GH DV YtWLPDV WHUHP DSRQWYGRXIPRQVpLVH G
R 6HJXQGR 7ULEXQDO &RQVWLWXFLRQDO GH %HUHQD MXOJ
VRE R IXQGDPHQWR GH TXH DHQWDPH p oXPRD GR WURWXDUGHG R B
([HFXWLYR

7DO GHFLVmR IRL UDWLILFDGD SHOD 6HJXQ GDP 6DOD GH
&RUWH 6XSUHPD MXOJRX LPSURFHGHQWH R 5HFXUVR ([WUD
D GHVLJQDomR GR 3URFXUDGRU *HUDO p XP DWR SROtWLF

FRQWU iULRV jV REULJDo}HV LQWHUQDFLRQDLV DVVXPLGDV
(P UHODomR j FRPSHQVDomR jV YtWLPDVV ~~ED~~VDWDGDV
LQGHQL]DomR SHORV VDOiULRV H EHQHItFLRV HFRQ{PLFRV
TXH IRUDP GHVWLWXtGRV DWp VXD HIHWLYD UHLQWHJUDom
\$OpP GLVV ~~WR~~ ~~LR~~ ~~LD~~ ~~UD~~ ~~VD~~ UHFRPHQGDo}HV GH PHGLGDV G
SHOD &,'+ \$LQ ~~GD~~ ~~UD~~ ~~FR~~ ~~TX~~ ~~GH~~ ~~UQ~~ DomR GR (VWDGR D DGRWDU DV
IRUPXODU XP PDUFR QRUPDWLYR GH DFHVVR j LQIRUPDomR
LQWHUDPHULFDQRV

2XWURVVLP ~~FT~~ ~~XH~~ ~~TR~~ ~~H~~ ~~VD~~ ~~GR~~ ~~DGR~~ ~~WH~~ ~~PH~~ ~~GL~~ ~~GD~~ ~~V~~ ~~LPH~~ ~~GL~~ ~~DWD~~ ~~V~~
QRUPDV TXH UHJODP RV SURFHGLPHQWRV GLVFLSOLQDUHV
H JDUDQWDP D LQGHSHQG rQFLD H LPSDUFLDOLGDGH GR 3R

3RU ILP R (VWDGR G ~~WR~~ ~~PD~~ ~~UD~~ ~~FR~~ ~~GH~~ ~~GD~~ ~~VR~~ ~~OD~~ ~~JL~~ ~~VOD~~ ~~WLYD~~
XP UHFXUVR MX ~~GL~~ ~~PF~~ ~~LD~~ ~~FR~~ ~~H~~ ~~GH~~ ~~VL~~ ~~FR~~ ~~V~~}HV VDQFLRQDWyULDV GH

4. PETITÓRIO

'HVWDUWMH ~~UD~~ ~~TX~~ ~~FR~~ ~~UD~~ ~~DomR~~ GD UHVSQRVDELOLGDGH LG
)LVFDOKQLDU \$ ~~FR~~ ~~SO~~ ~~BR~~ ~~WV~~ ~~XD~~ ~~V~~ REULJDo}HV LQWHUQDFLRQ
UHODomR DRV DUWV ž H DPERV FRP UHODomR DRV DUW
DUWV H WRGRV FRP UHODomR DR DUW HP SU
ž H WRGRV FRP UHODomR DR DUW HP SUHMxt]F
ODVWUR

& W, 'Apitz Barbera Vs. Venezuela 6HQWHQoD †† H
& W, '+ Claude Reyes y otros Vs. Chile 6HQWHQoD †
& W, 'Apitz Barbera Vs. Venezuela 6HQWHQoD †
& W, 'Yatama Vs. Nicarágua. Sentença † Ü

\$LQGD FRP IXOFUR iuaRnov8Lur@FtSHXEB GHFODUDomR G
UHVSQRVDELOLGDGH GH)LVFDOKQGLD SHOD YLRODomR GR
DV YtWLPDV