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Caso Maricruz Hinojosa e Outras Vs. República de Fiscalândia

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### LIVROS E ARTIGOS JURÍDICOS

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ORV GHUHFKRV KXPDQRV 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

9(1,&( &200,66,21





## CASOS LEGAIS

### CtIDH

Apitz Barbera e outros vs. Venezuela	6 H Q W H Q o D	3
Artavia Murillo y otros (Fecundación in Vitro) Vs. Costa Rica	6 H Q W H Q o D	3
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Herzog y otros Vs. Brasil	6 H Q W H Q o D	3	
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López Lone y otros Vs. Honduras	6 H Q W H Q o D	3	
Maldonado Ordóñez Vs. Guatemala	6 H Q W H Q o D		3
Norín Catrimán y otros Vs. Chile	6 H Q W H Q o D	3	
Pueblos Kaliña y Lokono Vs. Surinam	6 H Q W H Q o D		3
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Tribunal Constitucional (Camba Campos y otros) Vs. Ecuador	6 H Q W H Q o D ( [a2)-1( ( Ba)->30_30 1 100		





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 Fiscalândia S D V V R X SRU TXDVH YLQWH DQRV VHP DO  
DWp TXSURWL[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 QRFDGRSFKODGRUHV  
SDUWLU GH XPD WHUQD SURSRVWD SHOD -XGHOEomR 3RHWX  
FDQGLGDWXUDV jV DOWDV IXQo}HV S~EOLFDV

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

6XFHVVLVDPHQWH RXWUDV PHQVDJHQV GH 0DWDOHQJ  
MRUQDOLVWD GH(SV0DWDURDQR' 0HYHODGR TXH WDLV FRP  
SHTXHQD DPRVWUD GH XPD DPSOD UHGH GH FRUUXS0mR 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 DSUHVH0WRXQRPD GHG  
FDVR 30(7\$ &RUUHLRV' \$LQGD HP IDFH GD LPLQHqWH FRQ  
\*HUDO LQWHUS{V XPD SHWL0mR GH QXOLGDGH FRQWUD R 'H  
DGPLQLVWUDWLYR FRUUHVSRQGLD D XPD UHPR0mR 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 \$SHOD0  
2 'HFUHR IRL HQWmR H[HFXWDGR H QRPHDGRV RV PH  
0DJGDOHQD LQWHUS{V XPD SHWL0mR SHUDQWH D &  
\$SHQDV HP IRL HPLWLGD D VHQWHQ0D GH PpULW  
SRU 0DJGDOHQD DSYV D QRLQD of RP 3 3 UHFDQJGR DUW  
(P D &,'+ GHFODURX DGPLVVtYHO D SHWL0mR 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~~ VGRWS  
\$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





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5HVVD~~10~~WXH GHQWUH RV HQYROYLGRV QR HVFkQGDR  
2EUHJyQ 3HGUR 0DWDOHQJXDV DVVHVVRU SUHVLGHQFLDO  
PDLV YH~~10~~KRWiYHO SRLV TXH~~10~~H~~10~~DD~~10~~QR~~10~~QR~~10~~PH~~10~~UD~~10~~GR~~10~~W~~10~~DD~~10~~RELp HUD G  
VRFLDO H IDPLOLD~~10~~SUG~~10~~GRD~~10~~BU~~10~~H~~10~~VR~~10~~GR~~10~~Q~~10~~TXH DVVXPLX R FDUJR C  
FRPSRVLoM~~10~~R GD 8QLGDGH (VSHFLDO TXH LQYHVWLJDYD WD  
/RJR SRU PHLR GR 'HFUHW~~10~~R TXH DEUHYLRX R PDQGDWR  
\*HUDO HP XP DWR GH GHVYLR GH SRGHU )LVFDokQGLD YL  
S~EOLFRV HP FRQGLo}HV GH LJXDOGDGH FRQVDJUDGR QR  
&\$'+

2XWURVVLP GLJQR GH QRWD R IDWR GH TXH RV RXWU  
WDPEpP UDWLILFDGRV SHOR 'HFUHW~~10~~R 3UHVLGHQFLDO GH  
DWp R WHUPR ILQDO ~~10~~DD~~10~~Q~~10~~W~~10~~H~~10~~D~~10~~W~~10~~p~~10~~SR~~10~~GR~~10~~W~~10~~W~~10~~GR~~10~~PH~~10~~OR~~10~~PH~~10~~Q~~10~~W~~10~~SRUpP IR  
UHPRYLGD SUHFRFHPHQWH HP XP WUDWDPHQWR GLVWLQW  
6HJXQGR D &RPLVVmR GH 9HQHJD D LJXDOGDGH SHUDQ

HVVHQFLDLV GR (VWDGR GH 'LUHLWR QR VHQWLGR GH TX  
PDQHLLX~~10~~DD~~10~~OL~~10~~WH~~10~~V~~10~~VB~~10~~ YLpV p GLVFULPLQDWyULD WRGD GLVWL  
REMHWLYD H~~10~~UD~~10~~GR~~10~~i~~10~~TX~~10~~RV WUDWDPHQWRV OHJDLV GLIHUH  
ILQV DUELWUiULRV RX GHVSyWLF~~10~~RV VRE SHQD GH YLRODU  
DUW GD &\$'+

1R FDVR \*UDQLHU \ RWURV 9V 9HQHJXHOD D &W,'+ FR

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& + †  
& + †  
& + †  
3Pp &

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

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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 XWLOLJDGR 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 <sup>3</sup>VHJXQG  
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 GHFRUUPRIGGRXSURFFHLQJR 0DUWtQH] S{GH S  
FHUWDPH PHVPR WHQGR LQLFLDOPHQWHUH SBRWXDR nQH VW  
IRL DOWHUDGD MXVWDPHQWH SDUD D QRWD REWLGD SRU 0  
&RQVHTXHQWHPHQWH 0DULFUX] H 6DQGUD HPERUD IRV  
GHVHPHQKR QR SURFRVVRJUHOMWLYR 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 FRVPRXSULGHFRORRPRVHD  
SURFHVVR GH VHOHmR D VXD FRQGXomR FRP EDVH HVWUL  
JDDU QmR @ od @ 3050aD]0MMD%€0RE\m% N%UUA pD FRH

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,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~~ ~~SH~~ ~~D~~ ~~Q~~ ~~-~~ ~~W~~ ~~Q~~ ~~W~~ ~~D~~ ~~G~~ ~~H~~ ~~[~~ ~~B~~ ~~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 SROtWLFrv HP XPD GHPRFUDFLD SDUWLFL  
HVSH~~M~~ ~~D~~ ~~L~~ ~~S~~ ~~R~~ ~~U~~ ~~S~~ ~~L~~ ~~Q~~ ~~D~~ ~~V~~ 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~~

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

HVWUXWXUDLV VmR XP LPSRUWDQWH DVSHFWR GR (VWDGR  
1HVVH DVSHFWR )LVFDOKQLD IDOKRX QR VHX GHYHU

---

SHVVRD RX JUXSR FRP FHUWDV FDUDFWHU<sub>t</sub>VWLFDV

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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 LJXDVGDGRGH 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 SUGLHWLRWRS HQD DFLHQW B D

---

RV GDTXHOHV FRQVLGHUDGRV ³DSWRV´ VHP MXVWLILFDU  
FDQGLGDWXUDV

\$OpP GLVVR D UHVHUYD GHIWBBDRVSDMLQFHSVLRHVGDSXEQ  
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 PURIWLDDHGRXHFROQLWIDRQDRGWHDPSRGRH  
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 QHQKSPVDHpv 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

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& 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

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yUJmR VXSHULRU

1 R F ~~Đ~~Đ Barbera V BÍÁâ° `Đ

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\$ &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  
LPSDUFLDOLGDGHVHQWHLDYHGHYXDU D FRQILDQoD TXH DV &  
XPD VRFLHGDGH GHPRFUiWLFD

6HJXQGR D &W('+ R H[HUFtFLR GH GLIHUHQWHV IXQo}HV

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FRP LPSDUFLDOLGDGH

ODULDQR IRL MXOJDGR SHOR 3OHQR GD &RUWH 6XSUHPD  
SHOD PDLRULD TXDQRRLGDGR WDO SURFHGLPHQW  
jV GLYHUV DV JDUDQWLDV DR GHYLGR SURFHVVR 1HVVH SU  
TXDQWR R UHF XUVRH QW DPSDURWH LQWHUSRVWRV SRU ODU  
~OWLPD LQVWkQFLD SHORR & SHORVGD 6XIShRPDRQVWLWXFLR  
SHORV PHVPRV PDJLVWUDGRV

( PLópez Lone y otros Vs. Honduras & W , '+ FRQFOXLY TXH FRPR TXDLV  
HYHQWXDOPHQWH LQWHUSRVWRV HP IDFH GD GHFLVmR GI  
&RQVWLWXFLRQDO GD 6XSUHPD &RUWH FXMRV PHPEURV FD  
3OHQR GD &RUWH KDYLD SDUWLFLSDGR GR SURFHGLPHQWR  
GR UHF XUVR UHVWDYD SUHMxGLFDGD

\$ SOLFDQGD DO HQWHQGHPTHQR XFRQDmR DR GLUHI  
HIHWLYR SUHYLVWR QR DUW GD &RQYHQomR HP SUHMx  
LJXDOPHQWH D YtWLPD HVWDYD GHVREULJDGD GH HVJRWD

+i GH WHGEM SRU ILP TXH R SURFHVVR GLVFLSOLQDU I  
GD /HL 2UJKQLFD GR 3RGHU -XGULILURR ŽGGD) &SF D HkVGLDH C  
R (VSDGRWH GHYH DGRW DU PHGLGDV SDUD TXH R HVWDEHO  
FRSULGR HP VHX RUGH, QVRH QVSD LLQDWHWDRE pP R GHYHU GH

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Ibidem.

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& W , 'López Lone y otros Vs. Honduras 6 HQWHQ o D †

3 ( †

& W , '+ Castañeda Gutman vs. México 6 HQWHQ o D †

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

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VLWXDomR LPSRVVtYHO GH VHU UHYHUWLGD SRUTXH DIHW

&XPSUH UHVVDOWDU QHVVD FLUFXQVWkRefid 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

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MXGLFLDO QmRHSR GHHWDHGR JLPDOLGDGH GHYHQGR H[DPLQ  
DUJXPHQWRV LQYRIFDBRUVRSXWQURV 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 DSRQWYGRXIPRQVpLVLH 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

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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 ~~VR~~ ~~WR~~ ~~LR~~ ~~GD~~ ~~UD~~ ~~DV~~ 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~~ ~~V~~ ~~WD~~ ~~GR~~ ~~D~~ ~~GR~~ ~~WH~~ ~~PH~~ ~~GL~~ ~~GD~~ ~~V~~ ~~L~~ ~~PH~~ ~~GL~~ ~~D~~ ~~WD~~ ~~V~~  
QRUPDV TXH UHJXODP 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~~ ~~J~~ ~~L~~ ~~V~~ ~~OD~~ ~~W~~ ~~LY~~ ~~D~~  
XP UHFXUVR MX ~~GL~~ ~~PF~~ ~~LD~~ ~~FR~~ ~~H~~ ~~GH~~ ~~V~~ ~~GL~~ ~~Y~~ ~~RL~~ ~~V~~}HV VDQFLRQDWyULDV GH

#### 4. PETITÓRIO

'HVWDUWMH ~~UD~~ ~~TX~~ ~~IF~~ ~~OD~~ ~~UD~~ ~~omR~~ GD UHVSQRVDELOLGDGH LG  
)LVFDOKQLDU \$ ~~R~~ ~~B~~ ~~SO~~ ~~m~~ ~~B~~ ~~R~~ ~~W~~ ~~V~~ ~~X~~ ~~D~~ ~~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

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

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