

*Biennial Report*

**CEJIL**

Center for Justice and  
International Law

2019 – 2020



# Contents

## CEJIL 2019-2020 BIENNIAL REPORT

**1** Letter from the  
Executive Director

**3** Who We Are

**7** How We've Changed  
Realities

**11** Keyword  
Definitions

**67** Our Donors

We Seek to  
Reduce  
Inequality



**13**



We Seek to  
Guarantee  
Effective Access  
to Justice &  
Reparations

**19**

We Seek to  
Strengthen  
Democracy



**27**

We Seek to  
Support the  
Development of  
Plural & Open  
Societies



**29**



**33**

We Seek to  
Strengthen  
International  
Human Rights  
Protection

Our Responses  
to the Pandemic



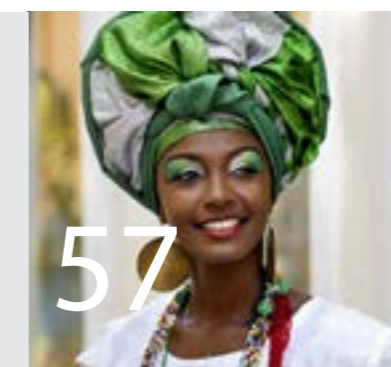
**37**



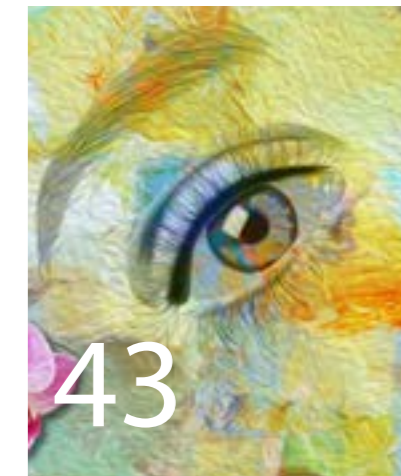
**53**

Spearheading  
Organized  
Advocacy

CEJIL in  
the Media

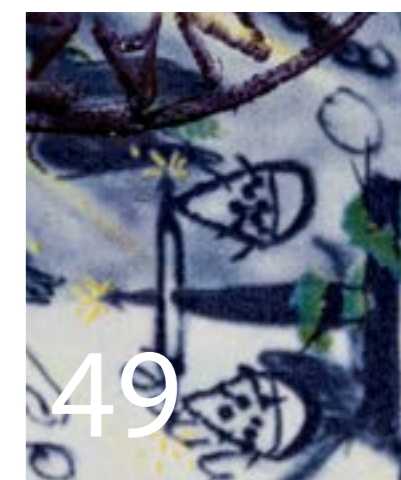


**57**



**43**

Our Other  
Projects



**49**

Our Academic  
Partnerships



**61**

Financial  
Support

# A broader perspective on the regional situation:

## Human rights

Over the last two years, our continent dealt with serious threats to the rule of law, including high levels of violence, repression of social protests, a massive displacement and refugee crisis, attacks against human rights defenders (HRDs), and threats against indigenous peoples. Then, in this already challenging context, the coronavirus pandemic emerged—exposing and magnifying some of the profound inequalities and weaknesses in the region.

The pandemic revealed the disparity in accessing social rights in Latin America, triggered an increase in authoritarian policies, and prompted a recession of unprecedented levels. According to the United Nations Economic Commission for Latin America (ECLAC), an estimated 16 million people fell into extreme poverty in Latin American and the Caribbean in 2020. At the same time, we are at a tipping point for climate change with enormous consequences for human life, including food security, mobility, and democracy. The enormity of these challenges, as well as repression in many national civic spaces, underscores the necessity of regional and international spaces that respond to human

rights violations and address these major regional crises.

Throughout, CEJIL has stood shoulder to shoulder with those who sought to address these challenges in order to amplify their voices in their quest for truth, justice, equality, democracy, and a healthy environment. We documented critical issues and helped develop local strategies for the promotion of rights. We coordinated litigation, advocacy, and communication campaigns with hundreds of activists and organizations as part of our work. We supported the work of over 4,400 persons who we represent in international protection measures. We worked with the Inter-American Commission, the Inter-American Court, the Organization of American States, and the United Nations to inspire change.

In addition, CEJIL swiftly took steps to secure and advocate for the rights of those most suffering from the pandemic's negative effects. On March 17, we published our first statement on the need to address the pandemic in the Americas from a human rights perspective. Through frequent communication and coordinated transitions to virtual work environments, CEJIL has been able to continue pursuing its long-term

objectives, while at the same time responding to new pandemic-related human-rights violations and its disproportionate impact on several groups.

CEJIL has learned that in a global crisis, the risk to—and importance of—human rights and strong legal institutions become more relevant than ever. As you will see in this report, CEJIL's previous work strengthening international legal bodies and setting key legal precedents in human rights cases has provided a solid foundation to respond to pandemic-related incidents. We want to share some examples of how we continue our work defending favela residents against police violence in Brazil, indigenous groups from extractivist projects in Ecuador, protesters from government crackdowns in Chile, and migrant detainees from inadequate detention conditions in Panama.

We hope this report shows you the interconnectedness of our major challenges, the importance of collective action, and the necessity of securing fundamental rights for all.



Viviana Krsticevic  
Executive Director

# WHO WE ARE

**T**he Center for Justice and International Law (CEJIL) is an organization of human rights defenders founded in 1991 working to promote the full enjoyment of human rights in the Americas. We seek to reduce inequality, discrimination, and violence by strengthening democracies, protecting and promoting human rights, and fighting impunity in the Americas.

For three decades, CEJIL has acted at the national and regional level as a transformative force that defends rights to change realities

through collective processes that make use of the Inter-American Human Rights System (IAHRS) and other international protection mechanisms. We carry the largest case load of any single organization before the IAHRS, which has allowed us to secure justice and reparations for thousands of victims of human rights violations. This includes the reopening of trials at a local level, the conviction of those responsible for human rights violations, the implementation of human-rights-based public policies, public acknowledgements of responsibility, and financial reparations.



*CEJIL works on human rights issues at both the local and the regional level in the Americas.*

CEJIL works on human rights issues at both the local and the regional level in the Americas. Our work with local partners, victims and advocates allows CEJIL to get firsthand, up-to-date information, to advocate before the local press, and to engage with local authorities. Our work with regional and international partners allows us to connect local issues with the regional and international mechanisms for the protection of human rights, raise awareness, and promote governmental adherence with universal human rights standards.

## BOARD OF DIRECTORS CEJIL's

Board of Directors is comprised of prominent human rights defenders from Latin America and the Caribbean.

- » Helen Mack – President
- » Julieta Montaña – Vice President
- » Douglas A. Johnson – Secretary
- » Gustavo Gallón – Board Member
- » Alejandro Garro – Board Member
- » Luis Fondebrider – Board Member
- » Benjamín Cuéllar – Board Member

## ADVISORY BOARD

CEJIL's Advisory Council is made up of people with a renowned track record in the field of human rights. Its purpose is to ensure the implementation of the organization's five-year Strategic Plans.

- » Claudia Martin – Board Member
- » Joy Olson – Board Member



## OFFICE BOARDS

Two of our offices have additional board structures

### BRAZIL OFFICE

Board of Directors:

- » Helena de Souza Rocha – President
  - » Viviana Krsticevic – Vice President
  - » Maria Elena Rodriguez – Secretary
- Advisory Board:

- » Danilo D'Addio Chammas
- » Alejandro Bautista
- » Fernando Padovani

### MESOAMERICAN OFFICE

Administrative Board:

- » Luis Naguil – President
- » Nora Galeano – Treasurer
- » Evelyn Villarreal – Executive Board Representative
- » Viviana Krsticevic – Secretary

## STAFF

CEJIL's staff is noteworthy for its diversity and expertise. Staff members come from a variety of countries in the hemisphere, creating a multicultural environment that enriches the work process and has a favorable impact on the results obtained and the successes achieved. The professional staff is complemented and enriched by the valuable contributions made by many volunteers through the Internship Program in the four CEJIL offices.

### Directors

- » Viviana Krsticevic – Executive Director
- » Francisco Quintana – Director for Andean Region, North America and The Caribbean Program
- » Bella Vulchanova – Director of Finance and Operations (Regional)
- » Claudia Paz y Paz – Director for Central America and Mexico Program
- » Marcela Martino – Subdirector for Central America and Mexico Program
- » Susana García – Director of International Cooperation
- » Gisela De León – Legal Director
- » Liliana Tojo – Program Director
- » Bía Galli – Director Brazil Program

### Staff

- » Alejandra Manavella Suárez – Advocacy Coordinator
- » Camila Ormar – Consultant
- » Eduardo Guerrero Lomelí – Attorney
- » Elizabeth Biener – Grant Writer
- » Florencia Reggiardo – Senior Attorney
- » Gabriela Oviedo – Migration Program Officer
- » Geidy Korina Mora Borges – Financial Officer

- » Guillermo Rodríguez García – Advocacy Officer
- » Helen Kerwin – Attorney
- » Jessica Ramírez – Attorney
- » Lady Guzmán Marengo – Attorney
- » Liliana Caballero Gómez – Advocacy Officer
- » Luana Batista – Administrative Executive Assistant
- » Lucas Mantelli – Legal Coordinator (Mesoamérica)
- » María Eugenia Molina Theissen – Administrative Assistant
- » María Luisa Gómez Comi – Attorney
- » María José Araya – Attorney
- » María Noel Leoni – Advisor on Innovation Initiatives
- » Nicol Barrantes – Administrative Accounting Assistant
- » Paloma Lara Castro – Digital Rights
- » Seidy Salas Viquez – Senior Communications Officer
- » Silvie Ojeda – Communications
- » Sofia Espinal – Communications Officer
- » Vanessa Coria Castilla – Legal Coordinator
- » Yadira Solano – Administrative Finance Coordinator
- » Yaisa Gordillo – Finance Officer
- » Yeini Lizano – Miscellaneous

# HERE'S HOW WE'VE CHANGED REALITIES FOR *over three decades across the continent*

**27,798**

Victims/beneficiaries  
represented by CEJIL

**217**

ongoing cases

**4,433**

HRDs protected by  
protection measures

**99%**

of litigation and advocacy  
conducted with local partners

**+400**

partners



Top 3 Country Caseloads

Reducing  
**INEQUALITY**

Strengthening  
**DEMOCRACY**

Supporting the development of  
**PLURAL & OPEN SOCIETIES**

Guaranteeing access to  
**JUSTICE & REPARATIONS**

Strengthening  
**INTERNATIONAL GOVERNANCE**

# Keyword

# DEFINITIONS

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» **Inter-American Human Rights System (IAHRS):** the regional human rights protection bodies in the Americas; primarily used to refer to the Inter-American Commission and Court.

» **Organization of American States (OAS):** The world's oldest regional organization, composed of 35 independent states in the Americas, designed to promote peace, justice, solidarity and collaboration within the members states. The member states, in turn, agree to adhere to the OAS charter and its outlined human rights principles.

» **Protection Measures:** Measures issued in order to protect persons at risk of suffering an imminent irreparable damage to their rights (e.g. persons receiving death threats). The IACHR calls their protection measures precautionary measures; the I-A Court calls them provisional measures.

» **United Nations' Special Rapporteurs:** Independent experts appointed by the Human Rights Council of the United Nations who generally work with a thematic focus in order to monitor the human rights situation globally. E.g. Special Rapporteur on Human Rights Defenders.

» **Amicus Curiae brief:** A brief filed by an entity that is not a party to a case, but which assists a court by offering information, expertise, or insight.

» **Compliance:** National acknowledgment of international court decisions and following of international court orders such as: providing reparations, altering national laws, and pursuing criminal convictions.

» **Inter-American Commission on Human Rights (IACHR):** a principal and autonomous organ of the Organization of American States. Among its other responsibilities, it:

- Receives, investigates, and decides on individual petitions alleging violations of human rights;
- Monitors the general situation of human rights in the OAS member states through reports, visits, statements, and hearings;
- Issues protection measures.

» **Inter-American Court of Human Rights (I-A Court):** One of three regional human rights tribunals, together with the European Court of Human Rights and the African Court on Human and Peoples' Rights. Its objective is to protect the rights of individuals and groups as recognized in the American Convention on Human Rights and other specialized regional human rights treaties through resolving contentious cases, advisory opinions, supervising judgments, and ordering protection measures.



# **WE SEEK**

*to reduce*

# **INEQUALITY**

**C**EJIL works to reduce structural inequality and expand access to rights for populations that have suffered historical discrimination in the individual and collective exercise of their rights. In order to reach this objective, we prioritize our work with women, indigenous peoples, and migrants and refugees. We also work with Afro-descendent persons, LGTBIQ+ persons, persons with disabilities, youth, and children.

In 2019 and 2020, we helped return land to indigenous peoples, compel criminal proceedings on modern slavery, and reunited a migrant family. Read these stories and more:



**1 MONITORING OF BRAZIL GENDER-BASED VIOLENCE CASES**

According to the Economic Commission of Latin America and the Caribbean of the United Nations, Brazil remains the country in Latin America with the highest number of femicides, with a disproportionate impact on Afro-descendant women. CEJIL litigates two cases addressing gender-based violence in the country. We continue to follow up government's measures to implement IACHR recommendations on the case of Maria da Penha, a landmark case about domestic violence for Brazil and the region that led to a national law on domestic violence against women. We are currently litigating the Marcia Barbosa case before the I-A Court, regarding gender-based violence and femicide in Brazil. Its litigation gives us the opportunity to broaden the discussion about violence against women, advocate for stronger state policies, and pursue measures of accountability to fight impunity of femicides in Brazil.

**2 RETURNING LAND TO INDIGENOUS PEOPLES**

The respect of the rights of indigenous peoples is critical for the heritage of our continent, for their survival, and for addressing the climate emergency. Paraguay has the most unequal system of land distribution in the world, with the deforestation and agricultural expansion particularly affecting indigenous communities such as the Yakye Axa, which CEJIL represents before the I-A Court. During 2019 and 2020, significant progress was made in compliance with their case when Paraguay established a community development fund and expropriated the land for the construction of a road that will allow the Yakye Axa full access to their territory. As a result, part of the community is already living in their restituted territory.



**3 ENDING CRIMINALIZATION OF INDIGENOUS LEADERS**

The respect of the rights of indigenous peoples is critical. The overreach of criminal law to persecute environmental defenders and indigenous leaders is a trend that has been documented widely by several UN and IAHRs protection mechanisms. We have followed several cases of discriminatory use of criminal law to silence legitimate claims in countries such as Honduras, Ecuador, Paraguay, and Chile.

In the 2014 Norin Catrimán case, litigated by CEJIL, the I-A Court determined for the first time that Chile had unfairly used an anti-terrorism law to criminalize indigenous leaders. In 2019, Chile's Supreme Court of Justice overturned the convictions of eight Mapuche people unjustly sentenced, in compliance with the I-A Court's judgment. CEJIL also collaborated on an amicus curiae brief that contributed to the release from wrongful detention of Mapuche community leader and Goldman Prize-winning environmental activist Alberto Curamil.

3

### MIGRATION AND FORCED FAMILY SEPARATION IN ARGENTINA

Family separation has torn apart the lives of many migrant communities. Vanessa Gomez Cuevas is a mother of three who, in 2019, was deported from Argentina to Peru—and forced to leave two of her children behind. CEJIL, in line with our commitment to connect national issues with international institutions, engaged in advocacy and communications campaigns with local counterparts before agencies such as UNICEF and the United Nations Committee on Migrant Workers. This UN Committee, in turn, published a report denouncing Argentina’s migratory practices. Following this report, the new Argentinian administration, acting on the UN Committee’s recommendations, allowed Vanessa to return to Argentina and reunite with her family.



4

### JUSTICE FOR VICTIMS OF MODERN-DAY SLAVERY

The International Labor Organization estimates that over 40 million people are living in some form of modern slavery today, including in the Americas. In 2016, CEJIL litigated the first case of slave labor brought to the Inter-American Court: the Fazenda Brazil Verde case. In this historic case, the Brazilian government was condemned for not preventing the practice of slave labor against rural workers, the majority of whom are Afro-descendant. Recently, as part of the investigations triggered in compliance with the I-A Court judgment, a Brazilian court initiated criminal proceedings against those responsible for trafficking 85 workers in the state of Pará. In 2020, the Pará government invited CEJIL to help establish a working group to monitor the implementation of the Court’s decision.

# WE SEEK TO GUARANTEE EFFECTIVE

*access to*

JUSTICE &

REPARATIONS

CEJIL works to ensure access to justice and to obtain transformative reparations for victims of serious human rights violations committed by state and non-state actors. We focus on breaking the patterns of structural violence by promoting effective access to justice and furthering practices, policies, or reforms that contribute to reducing and preventing violence in the Americas. Without effective access to justice and reparations, peoples, nations and regions will never be able to ensure the rights of all. Justice and reparations are also critical in order to heal from past trauma and to break the cycle of violence.

Among our landmark achievements in 2019 and 2020, we secured reparations for victims of forced disappearances, blocked the passing of amnesties for crimes against humanity, obtained a historic Court decision on arbitrary detention, and fought for justice for migrants in the U.S. Learn more about these highlights:



1

## REPARATIONS AND BURIALS FOR VICTIMS OF FORCED DISAPPEARANCE IN COLOMBIA AND PERU

» Disappearances have been used as a tool of war in order to create fear and secure impunity thorough the Americas. In Colombia, the Unit for the Search of the Disappeared estimates that 120,000 people are still missing in the country from the period of the armed conflict. In 2019, progress was made in Colombian compliance with the case of the Palace of Justice in Colombia, involving executions and disappearances by the security forces in the context of the 1985 siege of the Colombian Supreme Court building (Palacio de Justicia). That year, the Colombian government paid court-ordered reparations to the victims of the massacre and made steps to identify

and return the remains of one of the victims to their families. Ensuring that those missing are identified and buried in a dignified manner, following the religious and social traditions of each family, is crucial to mitigate their suffering and bring closure.

» In 2020, the Peruvian government adopted measures for the exhumation and identification of the victims of the case of Comunidad Campesina de Santa Barbara v. Peru, where 15 villagers, including 7 children, were killed by members of the military.

2

## FIRST DECISION ON GUANTANAMO BAY DETENTION CENTER

Guantanamo has become a synonym for injustice and illegal attempts to limit the reach of the law. That is why we consider an important victory the 2020 IACHR decision regarding one of the prisoners, in a case brought by CEJIL and the Center for Constitutional Rights (CCR).

This is the first case decided by an international human rights body regarding the human rights violations committed at the Guantanamo Bay prison. This marked a historic victory for Mr. Djamel Ameziane and others detained at Guantanamo Bay. Mr. Ameziane, an Algerian citizen, was detained and sent to Guantanamo Bay detention center in 2002, where he remained until he was forcibly returned to Algeria in 2013, despite never having been charged. The IACHR report determined that the United States is responsible for Mr. Ameziane's torture, abuse, and decade-long confinement without charge before he was released. The report calls for reparations for Mr. Ameziane, immediate closure of Guantanamo, and comprehensive truth and reparations programs, issues on which we continue to advocate before the new US administration.



### 3

## BLOCKING GUATEMALA AND EL SALVADOR'S AMNESTY LAWS FOR CRIMES AGAINST HUMANITY

» CEJIL has long worked on the case against those responsible for crimes against humanity and genocide in Guatemala. One of the most prominent cases that we provide representation for is the forced disappearance of 14-year-old Marco Antonio Molina Theissen during the 1980s armed conflict. In 2018, a national court condemned four high ranking military officers for crimes against humanity in the Molina Theissen case. However, in 2019, the Guatemalan Congress sought to pass an amnesty law that could have freed those four military officers. CEJIL leapt to condemn the amnesty bill in a compliance hearing for the Molina Theissen case before the I-A Court. We also worked to gather support through social media—CEJIL's [change.org](https://www.change.org) petition garnered almost 30,000 signatures, and our posts related to the amnesty law were shared over 3,500 times.

» Following our hearing with the I-A Court, the Court ordered Guatemala to stop the passing of the law. This resulted in a historic decision

by Guatemala's Constitutional Court that blocked the passing of the amnesty law. The Guatemalan Congress complied with this resolution, thus maintaining accountability and justice for crimes against humanity not only in the Molina Theissen case but for thousands of other victims in the country.

» Likewise, in El Salvador, an amnesty law was proposed that would have granted complete impunity to perpetrators of civil war atrocities. CEJIL, as one of the victims' representatives, requested provisional measures from the I-A Court under the compliance framework of the CEJIL-litigated El Mozote massacre ruling. In May 2019, the I-A Court's president ordered El Salvador to stop consideration of the amnesty law, which was one of the key factors that prevented its passage.

4

## U.S. MIGRATION IN THE IACHR

»Through our historic and current cases, we hope to compel U.S. migration policy to incorporate a much-needed human-rights perspective.

»In 2020, CEJIL and Texas Rio Grande Legal Aid (TRLA) brought before the IACHR the case of Laura S., a Mexican woman who was killed in Mexico after being deported by U.S. authorities. The case addresses the lack of due process and non-refoulement safeguards in immigration procedures, such as the practice of forcing migrants to sign documents renouncing their rights, as well as the particular situation of women fleeing gender-based violence.

»In the same year, the IACHR also admitted another case represented by CEJIL, TRLA and the Transnational Legal Clinic at the University of Pennsylvania, that of 11 unaccompanied migrant children that suffered physical and sexual abuse at a U.S.-government-authorized private shelter in Texas. The case provides a major platform to address the detention of thousands of unaccompanied children, primarily from Central America, by US immigration authorities each year, as well as issues related to access to justice for children who suffer abuse in federal immigration custody.



*Through our historic and current cases, we hope to compel U.S. migration policy to incorporate a much-needed human-rights perspective.*



Ph: Marvin Recinos / AFP

# WE SEEK TO — *Strengthen* DEMOCRACY

**S**trong democracies and the rule of law are essential for protecting and promoting human rights. We seek to build strong democracies through protection of foundational institutions, such as the judiciary and the media, and promoting the active engagement of citizens in public life. We recognize the need for a structural

view of the strengthening of democracy, as well as the need to be able to address large-scale democratic or institutional crises.

Learn more about our major efforts to prevent the rollback of the rule of law through the protection of judges and prosecutors from threats and harassment.

## PROTECTING JUDGES TACKLING CORRUPTION AND IMPUNITY

In 2019, the then-president of Guatemala forced the closure of the well-respected International Commission against Impunity in Guatemala. This was a major factor in the increase in defamatory campaigns and threats against those fighting against corruption in the country. CEJIL responded to this hostile environment by requesting precautionary measures for judges from the Inter-American Commission.

In October 2019, the IACHR granted precautionary measures to four Constitutional Court judges and Judge Ericka Aifan, who had suffered various attacks including from her own court personnel. The precautionary measures had the immediate effect of causing the Guatemalan Supreme Court to dismiss the complaint filed against the Constitutional Court judge for having suspended the passage of an amnesty law.



# WE SEEK TO SUPPORT THE

*development of*

**PLURAL &**

**OPEN SOCIETIES**

**D**emocracy flourishes when everyone has the right and freedom to bring their voice to the table. We help create healthy ecosystems for the civic space through strengthening alliances, capacity-building, protection of human rights defenders, and tackling obstacles to the active participation of civil society – especially women – in public affairs.

Given that Latin America is the most lethal region in the world for human rights defenders, we focused on standing up against the killings of human rights defenders and on the impact of threats and state surveillance on these defenders. Learn more about our work on this issue in Colombia, and, in Nicaragua, the protection of civil society in the aftermath of the 2018 political crisis:

1

### COMBATTING SURVEILLANCE AND HARASSMENT OF CIVIL SOCIETY

»In Colombia, human rights organizations, journalists, members of congress and social leaders continue to be subject to harassment, killings, threats, and surveillance by both state and non-state actors. In 2019 and 2020, new revelations of illegal state surveillance highlight the necessity for an international response to the human rights crises in Colombia. In 2020, we conducted several meetings with the IACHR to highlight developments and pursue protection measures for several defenders, social leaders and journalists affected. Through the submission of the case of José Alvear Restrepo Lawyers' Collective (CAJAR)

co-represents, we expect to contribute to a precedent for the protection of human rights organizations in Colombia and in the region.

»The pandemic increased challenges to democracy created by unaccountable institutions and authoritarian practices. CEJIL, along with regional partners, recently launched a project to foster transparency and accountability around the acquisition and implementation of surveillance technology as part of government responses to the pandemic. [Check out the website here!](#) [\(in Spanish and Portuguese\).](#)

2

### PROTECTING HUMAN RIGHTS DEFENDERS

In order to protect human rights, we must protect those who defend human rights. CEJIL litigates emblematic cases of violence and threats against human rights defenders before the I-A Court to advance jurisprudence and promote compliance with regional standards. Through our experience in litigation and advocacy before the IAHRs, CEJIL has contributed to the creation of standards that address emblematic human rights issues in the region. CEJIL also works continuously to address and respond to urgent threats against these defenders; currently, we protect over 4,400 HRDs through protection measures secured through the I-A Commission and Court.

3

### PROTECTING CIVIL SOCIETY DURING POLITICAL CRISES

In the wake of the 2018 Nicaragua political crisis, which intensified autocratic rule in the country, CEJIL deployed all of its tools to help defenders in distress. We promoted the establishment of an independent group of experts to investigate violent acts, worked domestically and internationally to provide legal assistance to victims of violence and imprisoned HRDs, and spearheaded advocacy missions, hearings and events. For instance, we secured provisional measures from the I-A Court for human rights organization CENIDH in the absence of Nicaraguan government measures to guarantee the safety of human rights defenders. In 2020, we presented a case regarding the government's cancellation of CENIDH's legal status to the IACHR. The presentation of this case is an important step for CENIDH towards access to justice following the Nicaraguan government crackdown on civil society.



# WE SEEK TO STRENGTHEN

*international*

**HUMAN RIGHTS**

**PROTECTION**

In order to positively affect individual, local and national realities, international human rights architecture must be strong, resilient, and effective. International mechanisms of human rights protection are critical when domestic checks and balances are unable to ensure the rights of all. We therefore focus on improving, among other things, victims' access to

protection, the effective operation of the IAHRs, and proper compliance with their decisions.

Our most impactful initiatives in the past two years include monitoring and promoting transparent, representative elections to the IAHRs and our complementary work on the GQUAL campaign, which seeks gender parity in all international justice bodies.

1

## ENSURING QUALIFIED CANDIDATES IN THE INTER-AMERICAN SYSTEM

»CEJIL works to promote the nomination of qualified, independent and representative candidates—with a commitment to gender parity—as an essential contribution to improving the efficacy and legitimacy of the Inter-American System.

»At the 2019 OAS General Assembly, CEJIL held widely-covered events with numerous NGOs on the importance of robust IACHR elections. CEJIL also disseminated the results of an independent panel of experts that evaluated the candidates. This process was complemented by significant communications efforts through the #YoVoto/#IVote campaign, which convened influential organizations and media outlets that contributed to denouncing the lack of participatory spaces for civil society.

»In 2020, we presented suggestions to the IACHR on how to achieve a more open, participatory, and representative process in the elections of the Special Rapporteur on Freedom of Expression and the Executive Secretary. Several of our proposals were adopted by the IACHR, resulting in an improved selection process that can serve as a model for national and international bodies. Consequently, both processes included the selection of 10 gender-balanced final candidates and access to videos with their proposals. We also co-hosted panels with the candidates, expanding public awareness of the election processes.

2

## GQUAL

# GQUAL

Gender parity in international tribunals and monitoring bodies.

Only 36% of positions in international justice systems are held by women. CEJIL's GQUAL Campaign, founded in 2015, aims to increase gender parity in these tribunals and monitoring bodies. In recent years, the GQUAL Campaign's efforts led to the Human Rights Council emitting a resolution, proposed by GQUAL, focused on the development of a report on best practices on gender equality in international organs. Additionally, GQUAL has presented briefings on gender parity for institutions such as the United Nations, the Working Group on Discrimination against Women, the Convention on the Elimination of all Forms of Discrimination against Women, and the Permanent Council of the OAS. [See our latest data on the status of female representation in international spaces.](#)



# OUR RESPONSES *to the* **PANDEMIC**

**T**he COVID-19 crisis has exposed the disparities in the Latin American healthcare system, the appetite for authoritarianism of some governments, and the disproportionate impacts of national and international policies on the most vulnerable. While the coronavirus pandemic has been one of the most unexpected events in recent memory, CEJIL has swiftly taken steps to secure and advocate for the rights of those most at risk to the pandemic's negative effects:

## 1 PROTECTION OF MIGRANT DETAINEES DURING COVID-19

In May 2020, at the request of CEJIL, the President of the Inter-American Court adopted urgent measures in the CEJIL-litigated *Vélez Loor v. Panama* case, where, in 2010, the Court had ordered Panama to adopt sufficient facilities for necessary migration-related detentions. This was the first resolution of the High Tribunal with respect to the COVID-19 pandemic, and it affected around 1,500 migrants. The President of the Court ordered Panama to ensure access to essential health services to the detainees, including the early detection and treatment of COVID-19. In July, the full Court ratified the provisional measures for the migrants after a hearing where CEJIL and Mr. Vélez Loor presented testimony. As a result of this order, the situation dramatically improved for detainees—one of the detention centers with poorer conditions was closed, and another one with better conditions was established: a change that will continue to impact migrants transiting and detained in this region of Panama.

## 2

### SUSPENDING POLICE VIOLENCE IN BRAZIL'S FAVELAS DURING PANDEMIC

» The Cosme Rosa/Nova Brasilia case deals with two infamous and landmark police operations in Brazilian favelas in 1994 and 1995 that killed 26 people. CEJIL has worked to promote accountability and justice by bringing the perpetrators to court, ensuring reparations payments to victim's relatives, and forcing the Brazilian government to reopen and adequately investigate the two police raids.

» During the pandemic, police operations expanded, most negatively affecting those living in the favelas, including afrodescendant and poor communities<sup>1</sup>. However, in June 2020, Brazil's Supreme Court cited the I-A Court decision on the Cosme Rosa case in their decision to temporarily suspend police operations in Rio de Janeiro's favelas due to the pandemic. That month, the suspension of police operations in Rio's favelas contributed to the significant 72.5% reduction in the number of deaths and the 50% reduction in injuries. In August the Supreme Court plenary upheld the decision.

» This case is emblematic of structural racism and police violence in Brazil, and the Supreme Court's citation of the case demonstrates the lasting and life-saving impact of CEJIL's work through the I-A Court judgement, not only for those directly affected but also for the national conversation and policy regarding these issues.

<sup>1</sup> In the state of Rio de Janeiro alone, between January and September 1,402 people were killed by security forces. Of these, 98% were men, 77% were young people between 17 and 29 years old, and 74% were of African descent.



3

**INTERNATIONAL COLLABORATION  
ON THE COVID-19 RESPONSE**

»A coordinated reconstruction response to the pandemic is crucial to maintaining and promoting human rights, social progress, and economic development in the Americas. CEJIL actively collaborated with a group of civil society organizations working with the United Nations Economic Commission for Latin America (ECLAC) to respond to COVID-19 pandemic through a Strategic Plan for the Social and Economic Reconstruction of Latin America and the Caribbean.

»CEJIL co-designed a virtual space entitled [“CabildoxLatAm,”](#) where young students and civil society organizations developed and coordinated actions in response to COVID-19 and the post-pandemic world.

»In collaboration with Amazon Frontlines and indigenous rights groups, CEJIL led a three-part series of webinars in May 2020 titled “Resistencia Comunitarias,” which provided an online, interactive, and regional overview of the situation faced by indigenous groups as they grapple with the coronavirus pandemic.

## 1 EXPANDING THE FRONTIER OF DIGITAL RIGHTS

Technology and the internet are increasingly present both as enablers of rights and means to their violation. CEJIL recognizes that, despite the IAHR's historical role in protecting human rights, it has yet to incorporate digital rights broadly in its agenda and casework. Through strategic partnerships and litigation, we aim to be at the vanguard of this new and rapidly expanding legal field, making sure that human rights remain the field's main priority:

»CEJIL signed a consulting agreement with TEDIC, a digital-rights NGO from Paraguay, in January 2020 in order to analyze the feasibility of admissibility before the IACHR of the Belén Whittingslow case. The case provides an opportunity to develop standards of governmental response

to online-based harassment and gender violence.

»In June 2020, we finished our section of an amicus curiae brief on facial recognition that we will soon present in a TEDIC-litigated case before the Paraguayan Supreme Court.

# OUR *Other* PROJECTS

»CEJIL signed an agreement with the Human Rights Clinic of the University of California, Berkeley to study international surveillance standards, especially with regards to the surveillance of human rights defenders in Chile.

»We joined a new coalition led by R3D, an NGO from Mexico, focused on strategic digital rights litigation.



Ph: Canva



## CLIMATE CHANGE: THE KICHWA PEOPLE OF SARAYAKU

The Kichwa people of Sarayaku in Ecuador are an indigenous population in the heart of Amazonia who have established themselves not only as protectors of their ancestral land and culture, but as leaders in the struggle to protect the environment and stop climate change. CEJIL has accompanied them for almost two decades. In 2012, the Inter-American Court ruled against Ecuador for violating the Sarayaku community's rights which enabled the Sarayaku people to keep their ancestral lands. In June 2020, the Constitutional Court of Ecuador decided to admit a complaint filed by the Sarayaku regarding failures of the Ecuadorian government to comply with the 2012 decision. Litigation on these issues could set a national-level precedent strengthening the right of indigenous peoples to prior consultation in Ecuador, in line with international standards.

3

## LA ESPERANZA PROTOCOL: SETTING THE STANDARD FOR PROTECTING HUMAN RIGHTS DEFENDERS

»CEJIL seeks to ensure that human rights defenders can work freely to promote and defend rights in a region known as the most lethal for defenders worldwide. We launched an initiative—the Esperanza Protocol (Protocolo La Esperanza in Spanish)—to develop guidelines for responding to threats and attacks against human rights defenders. As part of our research, we conducted a survey of human-rights defenders that found that currently, less than 20% of crimes against defenders are investigated.

»Over the past few years, CEJIL has engaged human rights experts, academia, the UN, and the IAHRs on discussions regarding the contents of the Protocol. Over 600 human-rights defenders and experts, as well as dozens of NGOs, have been involved in the process so far. In 2021, we expect to present the completed draft of the Protocol. Keep an eye on the [Protocol's website](#), or sign up for CEJIL's mailing list, to stay updated!

## BEHIND THE NAME

The Esperanza Protocol is an initiative named in honor of La Esperanza in western Honduras, the hometown of Berta Cáceres. A Goldman Prize winning indigenous-rights activist, feminist, and environmentalist, Berta led the resistance against the construction a hydroelectric dam on the Guadalupe River, located in the territory of the Lenca people. Prior to her murder, she had received 33 threats, but none were ever investigate.



## WHAT IS AN INTERNATIONAL PROTOCOL?

International protocols are well-established tools to respond to global issues. Examples include the Minnesota Protocol on the Investigation of Potentially Unlawful Death, the Istanbul Protocol on the Effective Investigation and Documentation of Torture, and the Latin American Protocol for the Investigation of Violent Gender-Related Deaths. These protocols, developed by human rights experts and adopted by international and regional organizations, have served to highlight gaps in human rights standards, spur a better understanding of the dynamics and effects of the phenomena, and place the problem on the public agenda.



# OUR *Academic* **PARTNERSHIPS**

**W**e maintain a close collaboration with a variety of academic partners to engage with a new generation of human rights defenders and further knowledge development. Some sustained efforts with networks and universities include: Pontificia Universidad Católica de Rio de Janeiro, Universidad de Buenos Aires, Max Planck Institute for Comparative and Public Law, AU Academy of Human Rights and Humanitarian Law, ActInCourts, and Universidad de los Andes. Our colleagues have actively engaged with students and professors, lecturing and presenting in numerous seminars, workshops, and training exercises.

**SOME HIGHLIGHTS OF OUR COLLABORATION INCLUDE:**

1

An initiative to protect the Guarani-Kaiowá indigenous population, and reports on the implementation status of the Araguaia and Herzog I-A Court case decisions (PUC-Rio)

2

An amicus curiae brief for the Maria Gloria Gonzalez case (defending a rural woman tortured and criminalized by Paraguayan authorities) (Human Rights Clinic of the University of Buenos Aires, SERPAJ)

3

The development of a research project on compliance with I-A Court orders (Max Planck Institute of Comparative and Public Law, Konrad Adenauer Foundation)

4

The teaching of the course “Central Issues of the Inter-American Human Rights System” (Universidad del Externado de Colombia)

5

Participation in the conference “Human Rights and COVID-19,” (Washington College of Law of the American University)

6

A brief for the IACHR regarding the impacts of deportations from the US to Guatemala during the COVID-19 crisis (The Institute for Research and Projection on Global and Territorial Dynamics [IDGT in Spanish] at the Universidad Rafael Landívar in Guatemala)

7

Participation in organization and classes at the course on Gender and Inter-American System organized by Cathedra of OAS, IACHR and University of São Paulo (USP)

# SPEARHEADING

*Organized*

**ADVOCACY**

**W**e conduct much of our work in partnership with other civil society organizations. Take a look at these initiatives we spearhead for more insight into how our collaboration leads to stronger and more effective advocacy:



## 1

**INTERNATIONAL COALITION**

The International Coalition of Human Rights Organizations in the Americas pushes for an effective, transparent, and representative Inter-American System. The Coalition meets regularly to keep apprised of developments of the OAS, the IACHR and I-A Court. At OAS General Assemblies, the Coalition is a bloc that steers the conversation on human rights and advocates for more effective participation of civil society within the OAS. During the pandemic in particular, the Coalition's efforts were key to maintaining civil society engagement with a virtual OAS General Assembly.

## 2

**HUMAN MOBILITY INITIATIVES IN THE AMERICAS**

»Over the last several years, the primary migration trends in the region are the Venezuelan refugee crisis—[with over 4 million fleeing the country](#)—and Central American migration to the U.S. In response, CEJIL has adapted our migration litigation and advocacy to incorporate these and other humanitarian crises.

»In the last two years, CEJIL has expanded our work on statelessness, originally focused on the Caribbean and [Venezuela](#), to include the region of [Mexico and Central America](#). We focus on the structural causes and triggers of these migrations and the international obligations they entail for the states of the region. This work is carried out with the objective guaranteeing the human rights of migrants, displaced persons, refugees, and those otherwise in need of international protection.

»Red ANA: [The Americas Network on Nationality and Statelessness \(Red ANA\)](#) is a network of over 35 civil society organizations, academic initiatives, and individual experts committed to addressing statelessness in the Americas. Red ANA has represented the voice for the stateless in multiple forums, engages in capacity-building and training on statelessness, and has engaged in litigation for emblematic cases.

## 3

**CROSS-REGIONAL COLLABORATION****Europe:**

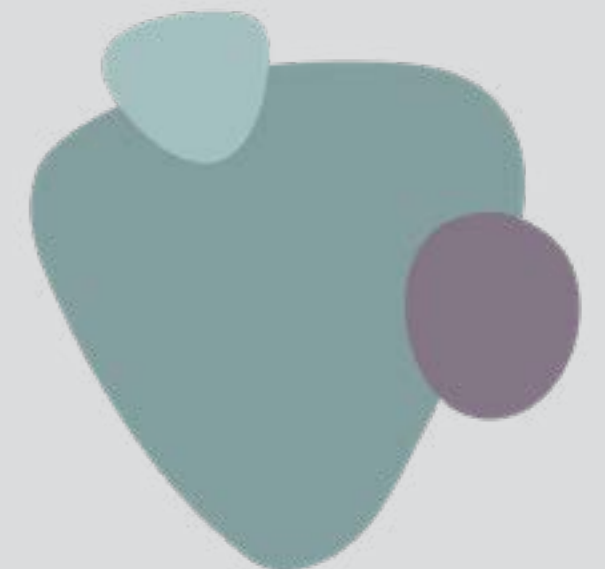
»Invited to a strategic meeting in January 2020 run by the Digital Freedom Fund, an organization that finances the strategic litigation of digital rights cases in Europe. CEJIL was the only organization in Latin America invited to participate, and the meeting allowed us to generate relationships and learn about current issues on the digital rights agenda.

**Africa:**

»Participation in litigation training held by the African Court Coalition

»Attended 25th East Africa Law Society Annual Conference & General Assembly

»Collaboration with the Coalition for the Independence of the African Commission for a panel on the role of the Inter-American Commission, Court and OAS General Assembly.



# **CEJIL**

*in the*

# **MEDIA**

1

»In the first episodes of the new podcast, [La Advertencia](#), Hollywood star Diego Luna spoke with our very own Claudia Paz y Paz, Program Director for Central America and Mexico, about the history of corruption and impunity in Guatemala. (In Spanish).

2

»Netflix recently premiered the documentary *The Three Deaths of Marisela Escobedo*, about the murder of a mother seeking justice in the femicide of her daughter. CEJIL has litigated this case before the Inter-American Commission on Human Rights.



3

»Gelman v. Uruguay deals with the kidnap and murder of the son and daughter-in-law of the renowned Argentine poet, Juan Gelman, in the context of the dictatorship-era Operation Condor. [Several of his works reflecting on the dictatorship are available in English.](#)

4

» CEJIL has long represented the endangered Siona indigenous people before the IACHR. This ten-minute New Yorker documentary, [Siona: Amazon's Defenders Under Threat](#), details their efforts to end the threat of landmines in their region.

5

» CEJIL represented Maria da Penha before the international court, which contributed to the passage of a landmark domestic-violence law in Brazil. Check out this [interview with Maria da Penha](#) conducted by the Global Feminisms Project at the University of Michigan.

6

» CEJIL was interviewed in Agora Eu Quero Gritar (Right Now I Want to Scream), a [documentary on police violence in Rio de Janeiro, Brazil](#) that premiered in 2020. It has been screened at over 20 film festivals and received the Best Feature Documentary award at a Toronto Women Film Festival monthly competition.



## CEJIL IN THE PRESS

»[El Salvador judge expands 1981 El Mozote massacre case \(Al Jazeera\).](#)

»[Venezuelan kidnap victim takes claim against state to Americas top rights court \(Reuters\)](#)

»[Black Lives Matter: a battle cry against Brazil's extermination policy \(Open Democracy\)](#)

»[IACHR Condemns Guantánamo Abuses in First "War on Terror" Decision \(Just Security\)](#)

»[New decree places more regulations on Carabinero force, labelled "insufficient" by CEJIL \(Chile Herald\)](#)



Al Jazeera



Just Security



Reuters



Open Democracy



Chile Herald



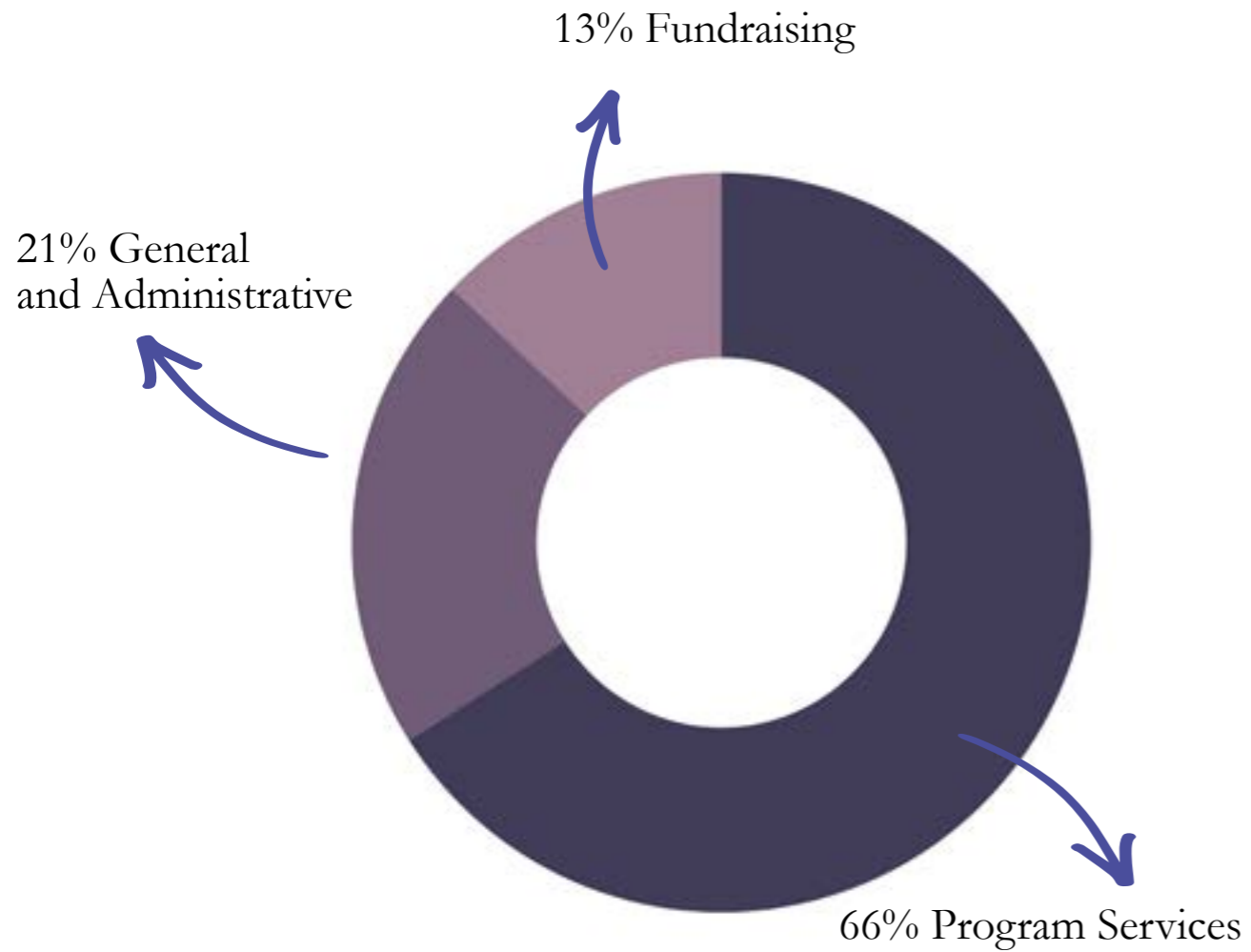


Ph: Silvie Ojeda [www.silviutiful.com](http://www.silviutiful.com)

**FINANCIAL SUPPORT**

*change for*

**NEW REALITIES**

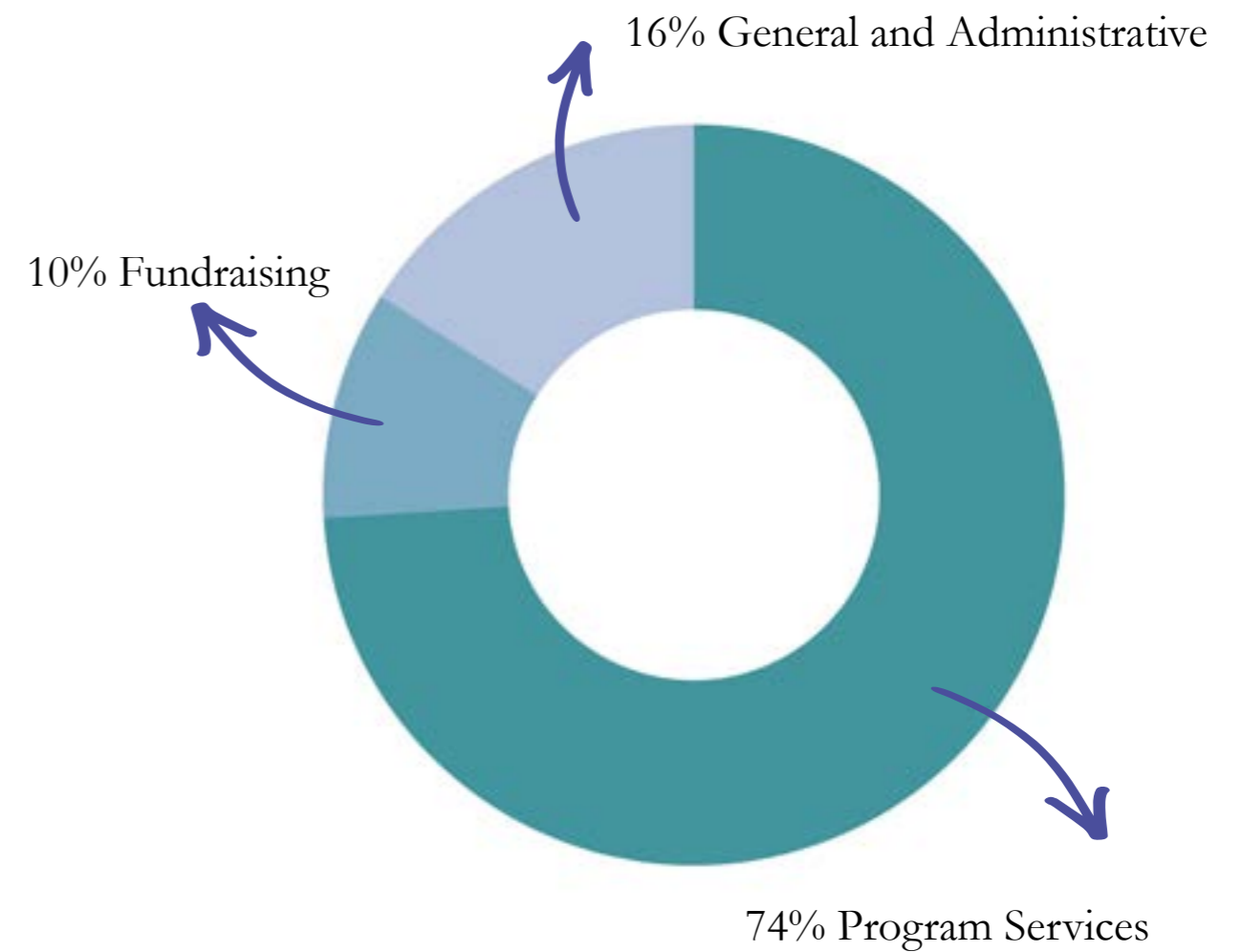


**2020 EXPENSE OVERVIEW | USD**

Program Services.....	\$1,843,815
Fundraising.....	\$380,200
General and Administrative .....	\$580,166
Total.....	\$2,804,181

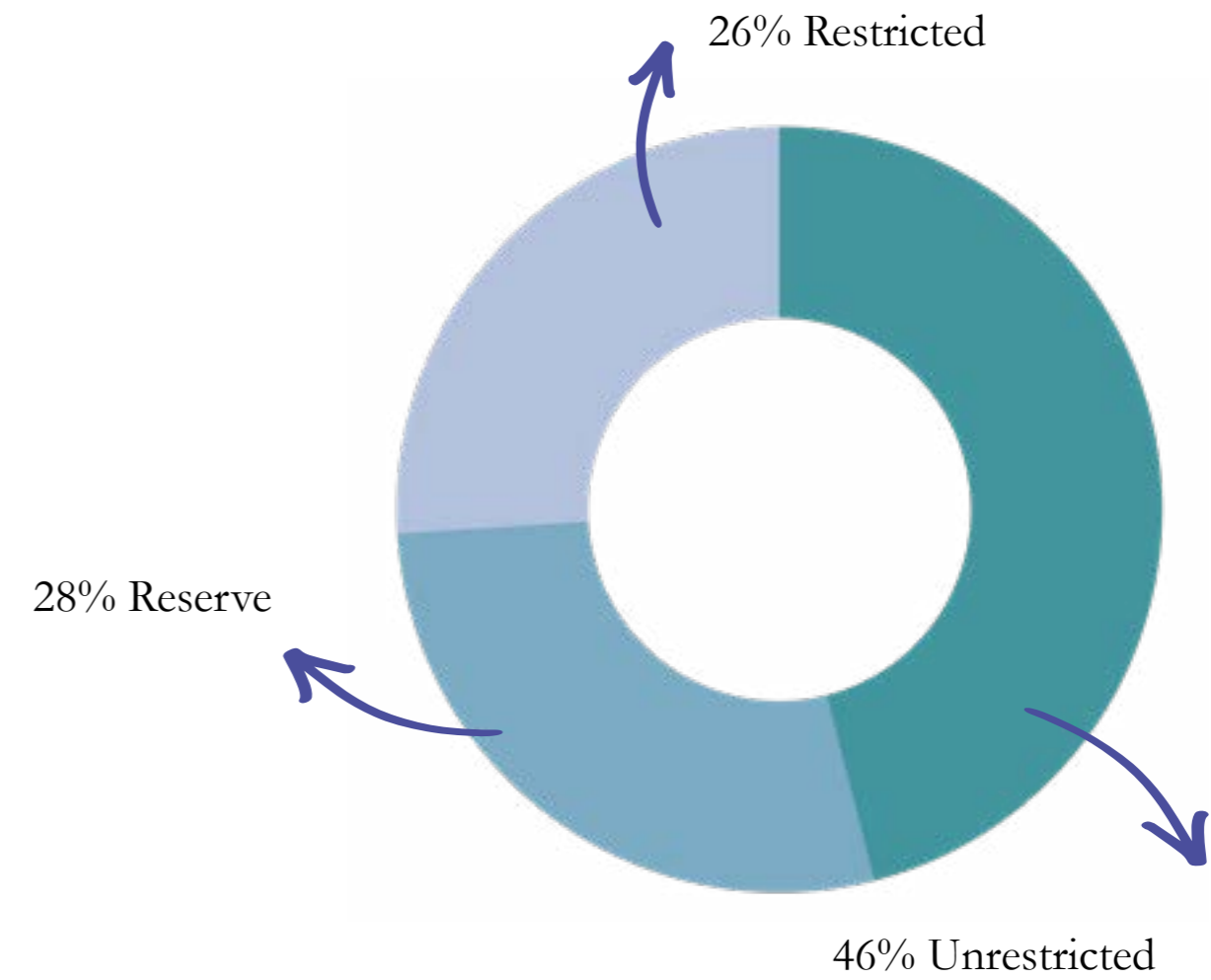
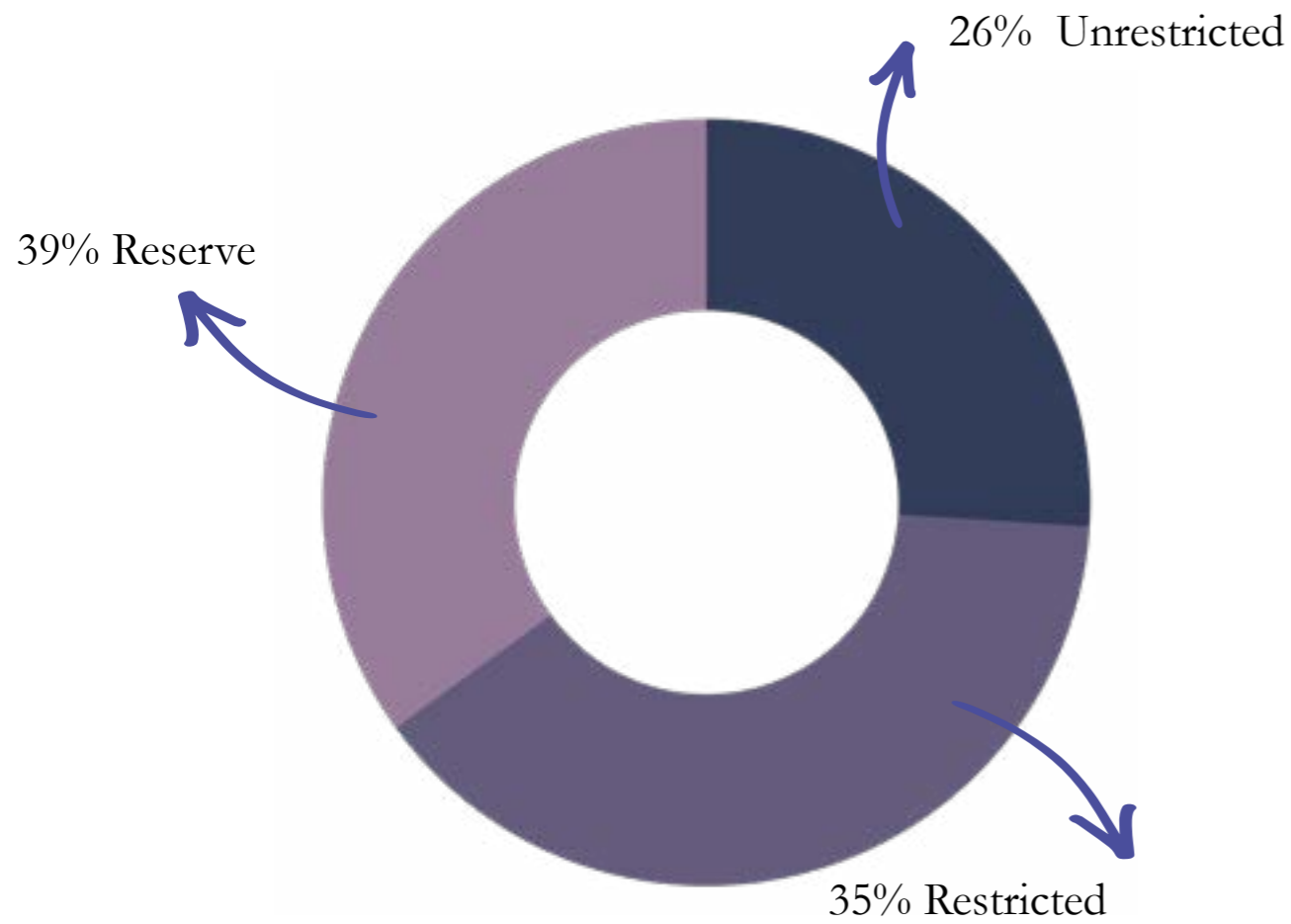
**2019 EXPENSE OVERVIEW | USD**

Program Services.....	\$2,531,882
Fundraising.....	\$330,587
General and Administrative .....	\$540,433
Total.....	\$3,402,902



**NET ASSETS END OF 2020 | USD**

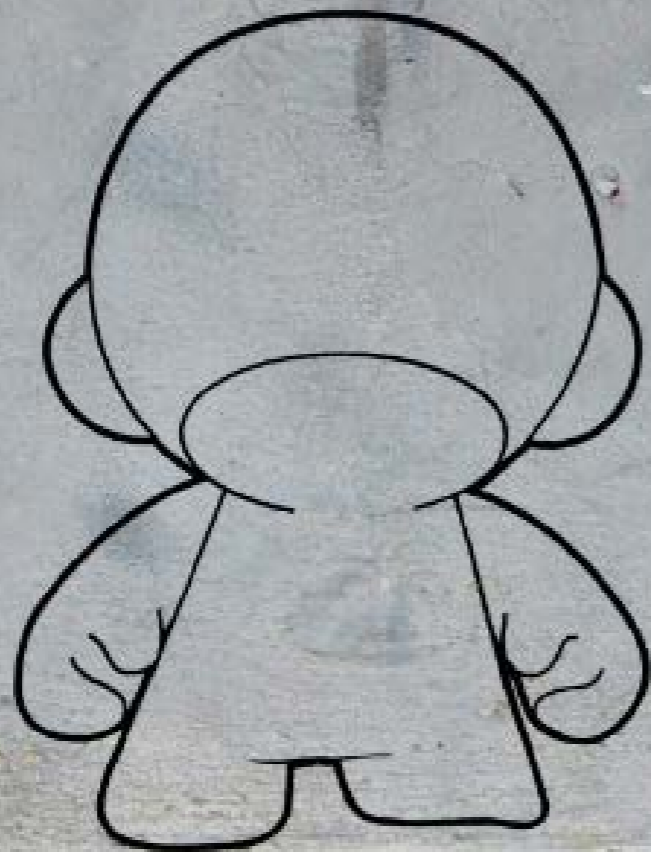
Unrestricted.....	\$727,559
Reserve.....	\$1,078,797
Restricted .....	\$948,078
Total assets.....	\$2,754,432



**NET ASSETS END OF 2019 | USD**

Unrestricted.....	\$1,755,524
Reserve.....	\$1,078,797
Restricted .....	\$971,775
Total assets.....	\$3,806,096

Para que triunfe o mal,  
só é necessário que os bons  
**não façam nada.** ★  
Edmund Burke



# SUPPORT US

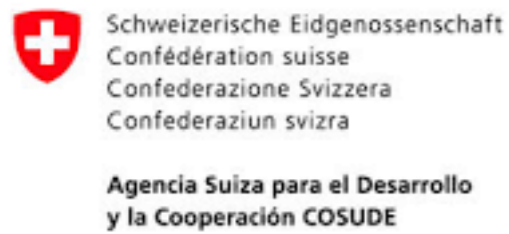
★ **ALL THAT IS NECESSARY FOR THE TRIUMPH OF EVIL IS THAT GOOD PEOPLE DO NOTHING.**  
**EDMUND BURKE**

*Consider making a personal donation, or donating in honor or memory of someone, to help CEJIL in all the work we do.*

**DONATE**

# OUR

# Donors





THANKS

*Cejil team*

