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CEJIL

### 2021 **CENTER FOR JUSTICE AND INTERNATIONAL LAW**

THE WORLD

CEJIL 2021 - ANNUAL REPORT

We Seek To Guarantee Access to Justice and Reparations for Grave Human **Rights Violations** 

Letter from the Executive Director

3 Who We Are

7 How We've Changed Realities

11 Keyword Definitions

**13** Meet or Fellows

57 Our Donors

59 Financial Support

We Seek To Support the Development of Plural and Open Societies



GLOBAL



We Seek To Reduce Inequality

We Seek Protective Measures



25









We Seek To Strengthen Democracy



Cejil in the Media

Design and Layaout: Silvie Ojeda and Luciana Rodríguez Sacco

# FROM THE Executive director

his year marks the 30th anniversary of CEJIL's founding in 1991. That year, the Cold War was ending, the Internet had barely begun, and Latin America was for the most part emerging from decades of dictatorships and civilwars. It was a region striving to fortify their democracies and enjoy their full range of human rights.

In 1991, our priorities were holding governments to account for human rights violations committed during prior authoritarian and military rule, supporting democratic processes, and expanding protections to freedom of expression. We spoke primarily of civil and political rights, and our first major battles were overturning amnesty laws, thereby preventing impunity for former autocrats and public officials seeking to shrink into the background of a democratic society; limiting the inheritance of practices that perpetuated gross human rights violations; denouncing the erosion of democratic checks; and combatting the use of censorship and defamation laws to curtail free speech. We saw the value that international protection mechanisms could bring to human dignity, justice, and democracy at the national level, and we sided with victims and the human rights movement in the pursuit of stronger rights protections.

Over the past 30 years, CEJIL has brought land mark cases representing victims, survivors, and communities to the Inter-American Human Rights System (IAHRS), the last resort when their own countries would not listen to their pleas for justice. We have a strong commitment to the rule of law, human rights defenders, and journalists as critical human rights defenders, and journalists as critical pieces to a functioning democracy. We have gone beyond litigation, expanding our toolbox for redress and social change to include advocacy, amplifying diverse voices, teaching, and researching solutions to recurrent problems.

Since our founding, we have contributed to the expansion of the definition of rights to include not just civil and political rights, but also economic, social, cultural and environmental rights. This comprehensive approach in expanding the scope of rights protected and the tools that we use to contribute to universal human rights guarantees is crucial to tackling ongoing crises, including democratic erosion, the climate emergency, and the aftereffects of the COVID-19 pandemic.

Today, the region has a new set of challenges and actors, as well as old actors with new faces. CEJIL helped develop a strongerresponsetoaccountabilityforpastandpresentgross violations of rights in an adverse context; moreover, in the last few years, we had to go back to supporting the rule of law which is increasingly under attack. At the same time, we have helped expand the scope of rights protected internationally by addressing structural discrimination, the right to land of indigenous peoples, access to health and water, and the right to be free of violence online and offline. Rights cannot survive without those who defend them; thus, we have worked without pause to ensure that human rights defenders can work free from threats, criminalization, assault, and death. We have also worked with protestors to denounce illegal repression of social protests and promote the rights to free association and expression.

Thirty years later, there is a stronger IAHRS, with most Latin American countries having ratified the American Convention and millions having access to the Inter-American Court of Human Rights (I-A Court), the International Criminal Court, a set of highly-developed regional and international human rights treaties, and a multiplicity of UN and other international human rights presences in the region. I see every day a stronger awareness of our interconnectedness brought about by migration, climate change, and the pandemic, but also due to the wealth of information at our disposal thanks to the advances of the last three decades.

In 2021, we have seen many reasons for hope: victims and their families obtaining truth, justice and accountability at the international level, social mobilization for rights, a more robust discussion on environmental rights and equality, governments paying reparations to those we represent and apologizing for past misdeeds, and members of the judiciary resisting corruption and impunity. Additionally, we cannot underestimate the enormous gains that having a more vigorous set of treaties and protection bodies internationally represents. These gains are the result of the persistent fight for dignity and rights of those who believed that rights and protection mechanisms are critical to sustaining dignity, equality, and justice.

hope, then make it happen.



### What will 2051 bring for the Americas? Let's

Viviana Krsticevic Executive Director

# WHO ARE

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 humanrights-based public policies, public acknowledgements of responsibility, and financial reparations.

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-todate 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.



### CEJIL works on human rights issues at both the local and the

4

### **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 Montaño – Vice
President
» Douglas A. Johnson –
Secretary
» Gustavo Gallón – Board
Member
» Alejandro Garro – Board
Member
» Benjamín Cuéllar – Board
Member
» Luis Naguil – Board Member
» Joy Olson– 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:

- » Patricia Galvão 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 » Claudia Paz y Paz – Director for Central America and Mexico Program » Francisco Quintana – Director for Andean Region, North America and The Caribbean Program » Helena de Souza Rocha - Co-Director Brazil and Southern Cone Program » Mariangeles Misuraca – Co-Director Brazil and Southern Cone Program » Bella Vulchanova – Director of Finance and Operations (Regional) » Danniel Alejandro Pinilla Cadavid – **Communications Director** » Gisela De León – Legal Director » Marcela Martino – Subdirector for Central America and Mexico Program » Susana García – Director of International Cooperation

### Staff

» Alejandra Manavella Suárez – Advocacy Coordinator
» Camila Ormar – Attorney
» 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 Marenco – Attorney

» Liliana Caballero Gómez – Advocacy Officer

» Liliana Tojo – SUMMA Project Coordinator

» Luana Batista – Administrative Executive Assistant

» Lucas Arnaud – Attorney

» Lucas Mantelli – Legal Coordinator (Mesoamérica)

» María Eugenia Molina Theissen – Administrative Assistant

» María José Araya – Attorney

» María Noel Leoni – Advisor on

Innovation Initiatives

» Maya AlMoussa – DC Fellow

» Nicol Barrantes – Administrative

Accounting Assistant

» Paloma Lara Castro – Digital Rights
 » Paulina Jiménez Fregoso – Attorney
 » Seidy Salas Víquez- Senior

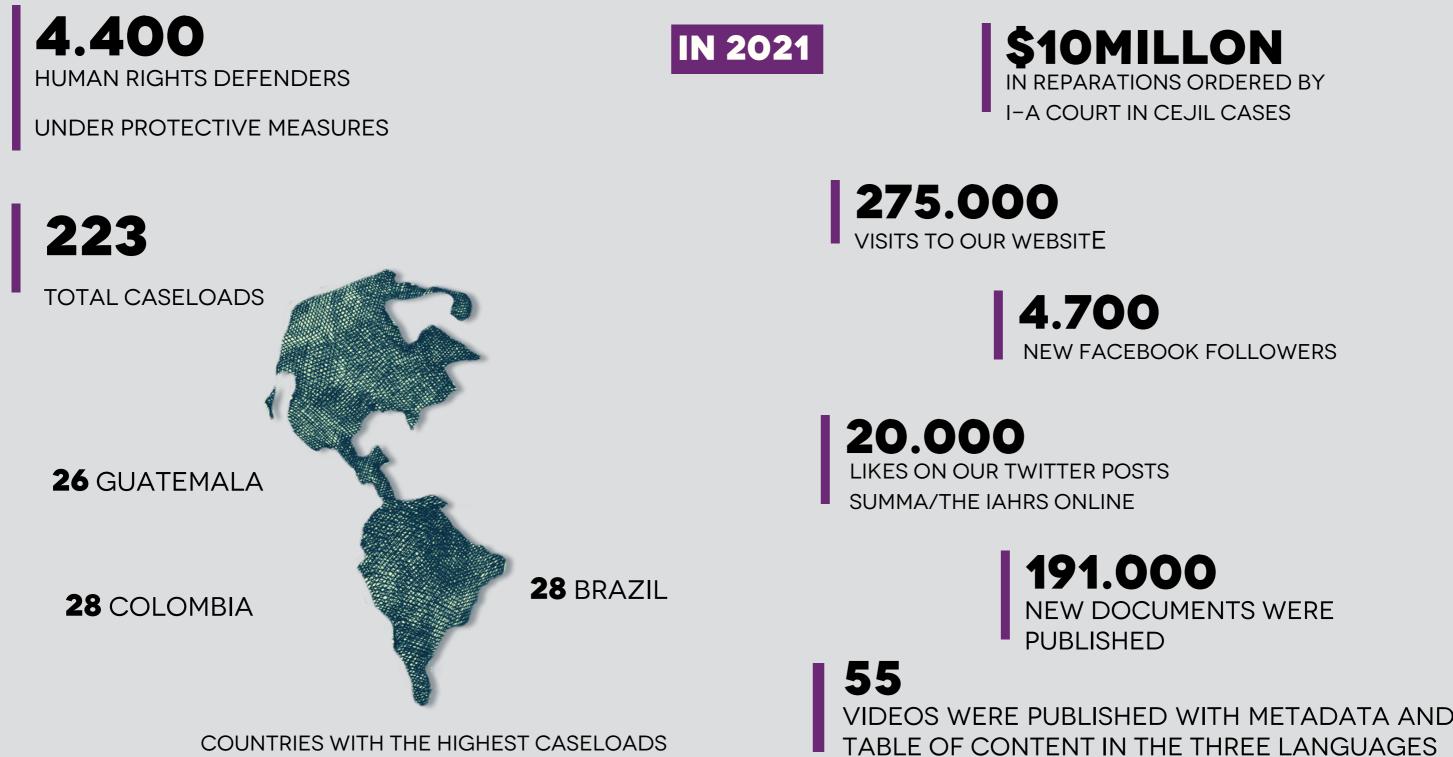
Communications Officer

 » Silvie Ojeda – Communications
 » Sofia Espinal – Communications Officer

» 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



8



## STRENGTHENING INTERNATIONAL GOVERNANCE

### GUARANTEEING ACCESS TO JUSTICE & REPARATIONS

# SUPPORTING THE DEVELOPMENT OF **PLURAL & OPEN SOCIETIES**

### STRENGTHENING DEMOCRACY

REDUCING INEQUALITY

DEFINITIONS

» 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.

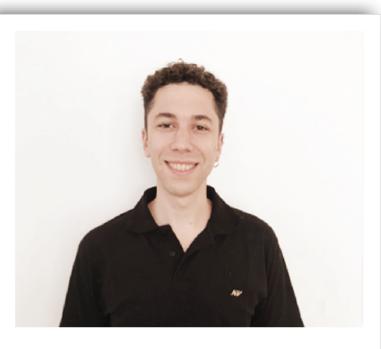
» Amicus Curiae brief: A brief filed by an entity that is not a party to a case, but which assists a court by offering information, expertise, or insight.

» 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.



### **EZEQUIEL SCAFATI**

### » What inspired you to become a fellow at CEJIL?

CEJIL's trajectory, the seriousness of its interventions, and the professional profile of its members have been the main reasons why I applied for the Norma Vorpahl Fellowship. I believe in law as a transformative tool, fundamental to building more egalitarian societies. To do this, we lawyers must assume an activist role and commit ourselves to the defense of human rights. At CEJIL I have found professionals who share this vision and put their knowledge at the service of groups that have historically struggled to defend their rights.

### » What have you most enjoyed working on so far?

I really enjoy being part of a team of excellent professionals, with whom I learn, share experiences and work together. Likewise, the thematic axes of work and the exchange between the regional offices have allowed me to learn about human rights issues throughout the continent. Finally, the possibility of deepening my knowledge of the Inter-American Human Rights System is unique, since I interact with its different actors and prepare casework on a variety of levels before the Inter-American Commission and I-A Court.

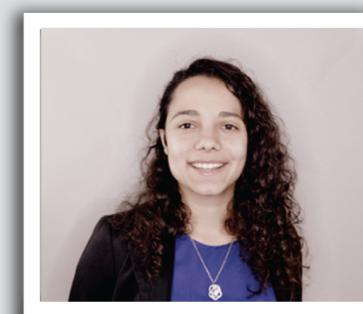
### » What are your hobbies or interests outside of work?

I like spending time with my friends, whether it's playing soccer, getting together for dinner, or planning a trip. Last year, I was able to visit El Bolsón and the Iguazú falls, but whenever I can I travel to the beaches of Necochea, a very quiet coastal town, where I have visited since I was little. I also enjoy teaching at the university level and exchanging ideas and perspectives about the legal field.



# Meetour FELLOWS » What inspired you to become a fellow at CEJIL?

After graduating from university, I wanted to learn more about the field of international law, climate change, and the Latin America and Caribbean region. I joined CEJIL as a fellow because of the organization's rich international litigation history and its motivation to expand its frontiers to incorporate the climate emergency into its initiatives.



MAYA ALMOUSSA

### » What have you most enjoyed working on so far?

In addition to investigating the climate crisis, I have had the chance to attend meetings with various civil society organizations about strengthening the human rights sphere in the region, which has been very educational and eveopening. I have also really enjoyed learning about other initiatives at CEJIL and how to build litigation strategies.

### » What are your hobbies or interests outside of work?

Outside of work, I play ultimate frisbee and squash, read about theology, and am learning to play the guitar.

14





















atin America is a region with a vibrant civil society that pushes back on a trend of shrinking public spaces. We witness daily the creativity of the human rights movement, the protests of so many for equality and rights, and the courage of journalists covering controversial issues. We stand by human rights defenders and civic associations, by those that peacefully protest in the streets and online, and by the hundreds of journalists who keep societies and governments honest.

Latin America has the sad record of being the most lethal region in the world for human rights defenders. We have therefore made special efforts to support defenders at risk. Journalists are no exception to this trend.

Finally, we have pursued healthy ecosystems for the civic space through strengthening alliances, capacity-building, and overcoming obstacles to the active participation of civil society, especially women, in public affairs.



### JINETH BEDOYA CASE RECEIVES INTER-AMERICAN COURT JUDGEMENT PUTS RIGHTS OF WOMEN AND JOURNALISTS IN THE SPOTLIGHT

In March, the I-A Court held a hearing on the case of Jineth Bedoya v. Colombia, regarding a prominent female journalist who was kidnapped and sexually assaulted during the Colombian armed conflict after receiving several threats for her news coverage. This case highlights a dramatic level of impunity in cases involving sexual assault during the armed conflict: according to Colombia's Constitutional Court, over 90% of such cases remain in impunity. In addition, there continues to be a high level of threats against journalists in Colombia, with the Foundation for Press Freedom documenting hundreds of attacks and threats against the country's journalists in the past several years alone.

In October, the I-A Court found Colombia responsible for the acts of violence committed against Bedoya, creating and broadening relevant jurisprudence for the protection of female journalists and victims of sexual violence. The Court ordered the investigation, prosecution and punishment of those responsible for the attack against Bedoya. In addition, the Court ordered various reparation measures, including a fund to sponsor protection, prevention and assistance for female journalists who are victims of violence and the establishment of a site of conscience and research center devoted to the topic, the first of its kind worldwide.

The judgment received widespread national and international attention; the current Colombian President, Ivan Duque, even released a statement on Twitter, stating that the Colombian government will "fully comply" with the judgment and that he "will always condemn any violent act against women and journalists." In March 2022, CEJIL and our national counterpart FLIP received Columbia University's 2022 Global Freedom of Expression Prize in the category of Excellence in Legal Services for our work in the litigation of this case.





### JUDGMENT IN CASE OF DIGNA OCHOA V. MÉXICO

Digna Ochoa, a prominent Mexican human rights defender working on human rights on behalf of ecologists and victims of torture, was assassinated on October 19th, 2001. In the years before her assassination, the activist endured many threats and even kidnappings as a consequence of her work. We at CEJIL worked with her and knew her as a colleague and friend. This case particularly highlights the impunity in the murder of a female human rights defender and the biases, including gender biases, that influenced the investigation into her death.

At the I-A Court hearing in April, the Mexican government acknowledged its partial responsibility and announced that it will propose to the next of kin a reopening of the judicial investigation. In January 2022, the I-A Court found Mexico responsible, recognized the differentiated violence faced by female human rights defenders, and ordered reparations such as the reopening of the investigation and the creation of a specialized protocol for the investigation of attacks against human rights defenders.

Read Justicia Digna, for her story in graphic novel form (in Spanish)



### LAUNCH OF THE ESPERANZA PROTOCOL

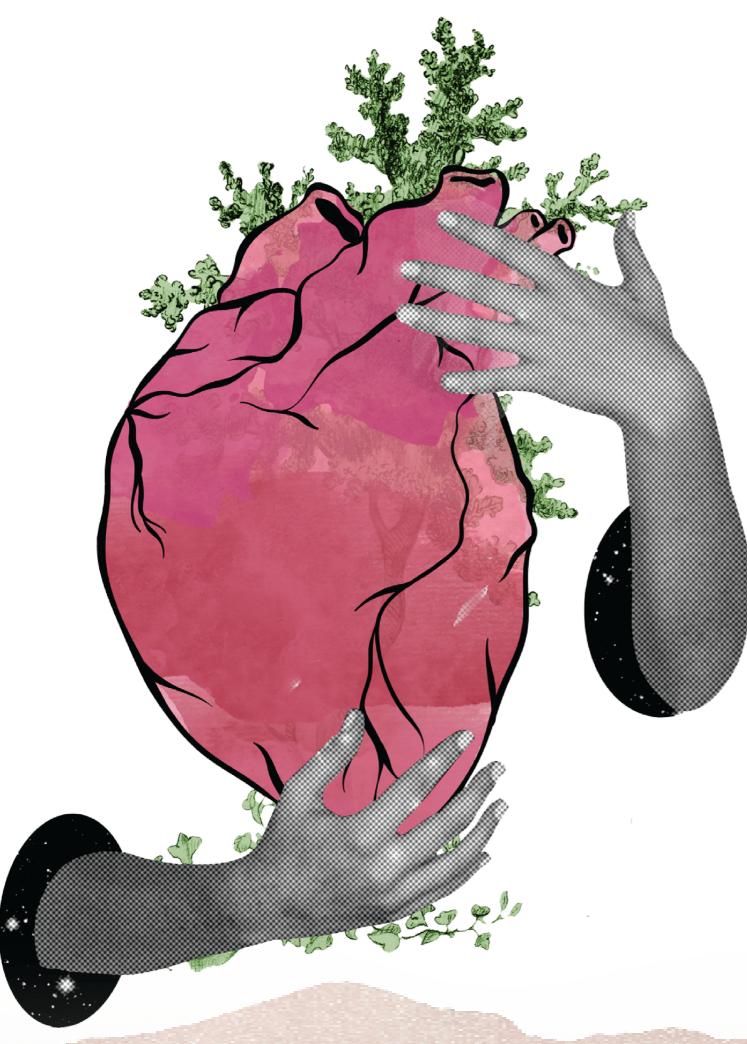
After five years of research, consulting with academics, officials, and human rights defenders all over the world, and extensive drafting, we launched the Esperanza Protocol, which advocates for public policies to protect human rights defenders and provides guidelines for government officials, prosecutors, judges, journalists, and others for the criminal investigation of threats.

We find this protocol vital for Latin America, which according to Frontline Defenders is consistently the most dangerous region in the world for human rights defenders. The Esperanza Protocol launched with the support of 18 current and past mandate holders of the United Nations' and OAS' bodies of human rights protection, renowned jurists, and organizations working to address the risks faced by human rights defenders, journalists, and others tasked with preserving democracy and the full enjoyment of human rights across the world.

Check our the protocol our website!









ach protective measure is a window into the human rights situation for major actors contributing to the rule of law and democracy in that country. Journalists, the justice system, and human rights defenders were all under threat, and CEJIL strove to protect them through advocacy and the tools of the IAHRS.

### LEYNER PALACIOS IN COLOMBIA

In June, we secured measures for Afro-Colombian activist, Truth Commission member, and Bojavá massacre survivor Leyner Palacios. These measures were granted in a context of relentless assassinations of social leaders, human rights defenders, and environmental rights defenders in regions of Colombia beset by poverty and the aftermath of the decades-long Colombian armed conflict. According to Frontline Defenders, Colombia is the country with the highest level of murders of human rights and environmental defenders in the world.

### JUDGES AND PROSECUTORS IN PERU

In Peru, the close and disputed election resulted in threats and harassment against the national elections jury and the public prosecutor in charge of a corruption investigation into the right-wing candidate. CEJIL requested and received precautionary measures for Prosecutor José Domingo Pérez, Judge Salas Arenas, and their respective families. The IACHR for the first time referred to the practice of doxing, i.e., the disclosure of personal information on social networks. In this case, the release of the addresses of these officials led to sit-in demonstrations at their homes.

### JUSTICE UNDER THREAT IN GUATEMALA

Independent judges and prosecutors in Guatemala have suffered various attacks aimed at undermining their independence, especially threats, stigmatization, and criminalization. CEJIL requested and received provisional measures from the I-A Court for two prosecutors in charge of the investigation into the extrajudicial execution and torture of Hugo Humberto Ruiz Fuentes, within the framework of compliance with the I-A Court's judgement on the



### EL FARO IN EL SALVADOR

El Faro is a digital newspaper – <u>"a benchmark for independent,</u> <u>transparent and reliable journalism</u>" – whose staff have been on the receiving end of multiple threats, surveillance efforts, harassment and smear attacks, even from El Salvador's own president. The president's attacks on the newspaper, in turn, have spawned similar treatment from other officials and the president's supporters on social media. **CEJIL requested and received** precautionary measures from the Inter-American Commission on Human Rights (IACHR) for 34 El Faro staff members. With these measures, CEJIL hopes to highlight and address the increased attacks and threats against freedom of expression in El Salvador and in the world.

### BERTHA DE LEON IN EL SALVADOR

In September, the IACHR granted the precautionary measures requested by CEJIL and other organizations on behalf of human rights defender Bertha De León, who faces a campaign of stigmatization and criminalization against her and her work.





## WE SEEK TO

Toreque



# INEQUALITY

tructural inequality and discrimination still Shape access to rights in the Americas. Much of our work is directed to fighting entrenched discrimination and the human rights violations that are shaped by it; in particular, the fight against racism, gender-based violence, and threats to indigenous peoples.



### COURT DECISION IN CASE OF MÁRCIA BARBOSA V. BRAZIL

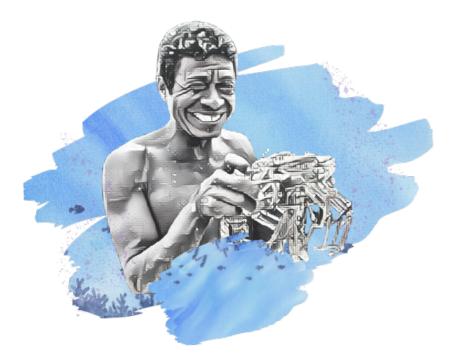
In February, the I-A Court held a hearing in the case of Márcia Barbosa v. Brazil, regarding the femicide of a 20-year-old girl by a government official. In November, the I-A Court found Brazil responsible for the lack of proper investigation into her death. This is the first femicide case in Brazil judged by the Court and highlights the epidemic of gender violence in the country, the special vulnerability of Afrodescendantwomen, the victim-blaming gender stereotypes that inhibited the investigation, and the parliamentary immunity laws that shield politicians from legal consequences.

### WOMAN FREED AFTER UNJUST DETENTION IN EL SALVADOR

On October 8, 2012, 18-year-old Sara Rogel was detained after a miscarriage. Charged with homicide under El Salvador's draconian anti-abortion laws, she was sentenced to 30 years in prison in 2013. However, on June 8, Sara, who is a beneficiary of Opinion 68/2019 of the United Nations Working Group on Arbitrary Detention – a mechanism that CEJIL activated together with other civil society organizations - was released. This case, like many others, demonstrates the consequences of the absolute criminalization of abortion and the implementation of a discriminatory policy against women who experience obstetric emergencies. CEJIL hopes the Working Group will continue to provide support towards the release of other women who, like Sara, have been unjustly criminalized and arrested.

### ONLINE-BASED HARASSMENT AND GENDER VIOLENCE CASE SUBMITTED TO IACHR

In November, TEDIC, a digital-rights NGO from Paraguay, and CEJIL **presented a petition before the IACHR** against Paraguay in the case of Belén Whittingslow. This case is about the lack of access to justice for and discrimination against a female victim of sexual harassment. The case **provides the IAHRS an opportunity to further develop standards on governmental obligations to protect digital rights**; and specifically, standards of governmental response to online-based harassment and gender violence.



FRIENDLY SETTLEMENT AND I-A COURT JUDGEMENT IN OPARIO LEMOTH MORRIS AND OTHERS (BUZOS MISKITOS) V. HONDURAS CASE

In March, we signed a friendly settlement agreement with Honduras in the Buzos Miskitos case regarding discrimination and lack of services for disabled indigenous divers. With this agreement, the government assumed responsibility for the violations of the victims' rights and agreed to implement multiple reparation measures, including medical care, educational scholarships, financial compensation, and policies to prevent diving-related disabilities. In October, the I-A Court published its judgement, approving and granting full legal effect to the friendly settlement. In addition, this is the first judgment in which the Court incorporated standards on business and human rights into its jurisprudence.

### HEARING AT THE IACHR FOCUSES ON RIGHT TO WATER IN CHILE

In March, CEJIL participated in a thematic hearing held by the IACHR on the lack of protection of the right to water in Chile. In Chile, water is defined and managed as a private good. We were able to bring together environmental groups from Chile, including those with an indigenous Mapuche focus. Five of those organizations had never attended such a hearing before. Because of the participation of feminist environmental groups, we were able to give the hearing an important gender perspective. Finally, at the hearing the IACHR accepted our request for a regional report on the right to water, which, if developed, would become the first such report by the IACHR.



### COURT JUDGEMENT IN CASE OF JIMMY GUERRERO AND RAMON MOLINA V. VENEZUELA

InJuly, the I-A Court found Venezuela responsible in the Guerrero and Molina v. Venezuela case, which involves the extrajudicial execution of two men in 2003. The Court recognized for the first time that the executions committed by Venezuelan security forces were in part based on the age and socioeconomic status of the victims – a problem that is replicated in Brazil, Colombia, and other countries in the region. This is an important precedent in countries that face discriminatory use of police violence.

# WE SEEK TO GUARANTEE ACCESS JUSTICE & REPARATIONS

### FOR GRAVE HUMAN RIGHTS

liofations

e focus on breaking the patterns of structural violence, committed by state and non-state actors, by promoting effective access to justice and furthering practices, policies, or reforms that contribute to reducing and preventing violence in the Americas.



### SEXUAL VIOLENCE DURING URUGUAYAN DICTATORSHIP FOCUS OF IACHR HEARING

In March, CEJIL and the UNESCO Chair of Human Rights of the University of the Republic, Uruguay accompanied 14 women in a hearing before the IACHR about the sexual violence that took place during the Uruguayan dictatorship (1973 - 1985). Despite the 2011 repeal of Uruguay's amnesty law, these women have not yet received justice from the Uruguayan government. Of the over 100 denounced for sexual assault, none had been convicted at the time of the hearing. However, the Uruguayan government announced during the hearing that the next day, they would advance the investigation against two of those accused of assault, who were later charged, detained, and convicted. While more must be done, this demonstrates the successful use of international attention to produce clear and necessary steps towards justice and accountability.

### SUBMISSION OF ARGUMENTS IN **ENVIRONMENTAL DEFENDER CASE IN BRAZIL**

In 2020, the IACHR sent the case of Gabriel Pimenta, concerning the execution of an environmental and land defender, to the I-A Court. Gabriel suffered a series of threats ignored by the authorities until his murder in 1982, and his family members continue to this day without receiving justice or reparations. We presented our arguments to the I-A Court in April and expect hearings to begin in March 2022. This case is an opportunity for the Brazilian government to enact policies to protect human rights defenders in line with international standards, including CEJIL's La Esperanza Protocol.



On February 17 and 18, a hearing was held before the I-A Court in the case of the Los Josefinos massacre, which was perpetrated by the Guatemalan army in 1982 and resulted in the deaths, disappearances, and displacement of hundreds. In December, the Court found Guatemala responsible for the massacre. The Court-ordered reparation measures include financial compensation for the victims, survivors, and relatives, as well as memorial initiatives and other forms of support. CEJIL will supervise the completion of this judgement to ensure that the victims and relatives receive the justice and assistance they deserve.

### Los Josefinos

### LOS JOSEFINOS V. GUATEMALA

# IMPACT IN SOME OF OUR CASES

National compliance with IAHRS decisions or friendly settlements is one of the most powerful tools of the IAHRS, with some of the **most direct, positive, and long-lasting impact** for the victims and surrounding community.

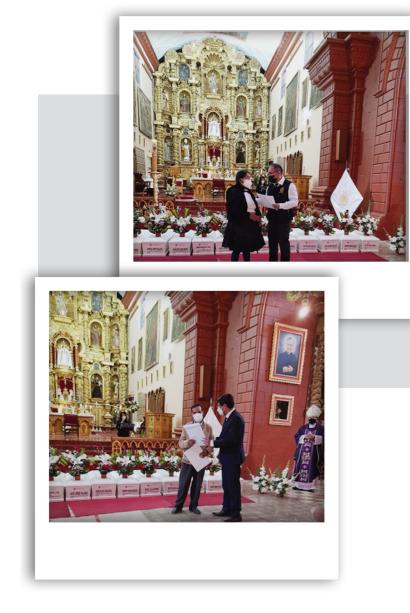
» In the case of the González Pérez Sisters v. Mexico, one of the first decided in the IAHRS on the use of sexual violence as a weapon of torture and of war, **reparations were paid to two of the victims**.

» In the Fernanda Ortega v. Mexico case, regarding sexual violence committed by the military against indigenous women, a **community center was inaugurated** for Me'phaa and Tu'Savi women who are survivors of gender violence.

» In Argentina, the government fulfilled a central point of compliance in the Caso de la Torre case, regarding discriminatory migrant policies, when they repealed a national emergency decree which restricted migrants' rights to due process.

» A suspect in perpetrating the Las Dos Erres Massacre – one of the worst massacres in Latin American history – was extradited from the US and formally accused of crimes against humanity in Guatemala. With this decision, there have now been six sentenced internally in the case with two in process; these trials are in direct compliance with the I-A Court judgement on the case.





### SANTA BARBARA V. PERU CASE

In the Santa Barbara v. Peru case, regarding the forced disappearance of 15 victims, including children, the remains of victims were returned to their families in a public memorial ceremony.

### PROTECTING MIGRANTS IN PANAMA



As part of compliance with the provisional measures that the I-A Court issued for migrants held in detention centers in Panama who were at risk due to the pandemic, the Panamanian government closed an immigrant detention center with poor conditions and opened an improved one.

### KAWAS FERNÁNDEZ V. HONDURAS CASE

In compliance with the Kawas Fernández v. Honduras case, regarding the assassination of an environmental defender, over 150 officials from the judiciary, armed forces, security secretariat, and prosecutor's offices participated in a training program on human rights, with an emphasis on environmental defenders.

ESCALERAS CASE

Within the framework of the friendly settlement agreement of the Escaleras Case, regarding the assassination of an environmental defender in Honduras, the daughter of the victim was reimbursed for expenses related to her university studies.

# WE SEEK TO

rengthen

# DEMOCRACY

**S** trong democracies and the rule of law are essential for protecting and promoting human rights in the Americas. We build long-term structures to strengthen democracies while also addressing fast-moving democratic or institutional crises that plagued many countries in the region in 2021.





### CEJIL AND PARTNERS LAUNCH COVID-19 SURVEILLANCE WATCHDOG PROJECT

To respond to the COVID-19 pandemic, many countries in the Americas have acquired, developed and deployed surveillance technologies, often without legitimate purpose, proven efficacy, or adequate safeguards for human rights. These concerns brought CEJIL, Derechos Digitales, the Foundation for Press Freedom (FLIP), IDHUCA, and Open Knowledge Brasil together to form the #EstamosVigilando project, which aims to monitor these technologies and advocate for a transparent procurement and deployment process that protects fundamental rights. As part of the initiative, we filed requests to access public information in Colombia, Chile, El Salvador and Brazil about these technologies and held a thematic hearing before the IACHR on this and other troubling uses of surveillance technologies. We found that governments are not adequately evaluating the potential harm to human rights of these technologies, are not taking all the necessary measures to protect privacy and the information that is collected, and are not ensuring transparency. Read our articles for more details about our findings and efforts to defend human rights against surveillance technologies. El Salvador Case Study **Privacy Protection** | Transparency

<u>Read our articles</u> for more details about our findings and efforts to defend human rights against surveillance technologies.





### COSTA RICA JUSTICE FORUM – ATTORNEY GENERAL'S OFFICE ELECTION

In August, the Costa Rican Supreme Court opened the application period for the position of the Attorney General, which is one of the most important positions for the administration of justice in Costa Rica. Given the election's importance, in September, the Costa Rica Justice Forum, a civil society alliance of which CEJIL is a member, formed and launched an independent panel that will accompany the election. A campaign was simultaneously organized on social networks and a virtual discussion was held to raise awareness about the election. As the Forum is already a recognized national actor, the impetus it gives to this panel is fundamental.

### POLITICAL CRISIS IN NICARAGUA

Nicaraguan June, the In government began ramping up arrests of dozens of political opponents, By August, more than 30 people had been arrested, including presidential candidates and pre-candidates, opposition leaders, campesinos, journalists, and students. As part of our efforts, we obtained provisional measures from the I-A Court for presidential precandidate Félix Maradiaga and human rights defender Tamara Dávila, both detained by authorities. After these measures were obtained, the relatives of Dávila and Maradiaga were able to visit the detention facility; until then, both defenders had been unable to make contact with the outside world. We similarly requested and received protection measures for five members of the political party UNAMOS.

Our responses also included advocacy before the UN Human Rights Council (HRC) and diplomatic missions to sustain international pressure on the human rights situation in Nicaragua; our efforts contributed to the HRC's establishment of a group of human rights experts that will investigate the alleged human rights violations committed in Nicaragua since April 2018.



### RESPONSE TO VIOLENCE AGAINST PROTESTERS IN COLOMBIA

After the violent police crackdown on protests in Colombia, CEJIL coordinated a petition of 650 organizations that called for an exhaustive investigation into the protests and on the IACHR to visit the country. In addition, we met almost a dozen times with stakeholders such as public officials, the UN, and data collection civil society organizations. Before and during the IACHR's visit, CEJIL published a **blog post** and developed a series of informative graphic and audiovisual pieces to raise awareness of international standards regarding the use of force. In the legal area, CEJIL advised national counterparts on how to proceed with requesting precautionary measures before the IAHRS. In October, CEJIL participated in a public thematic hearing before the IACHR about the visit and the follow-up recommendations the Colombian government should address to deal with the human rights violations that occurred during the protests.



# GOVERNANCE

nternational protection is key to human rights protection, especially when national remedies are exhausted. Thus, our work has been focused on improving victims' access to international fora, strengthening the effectiveness of the IAHRS, and promoting compliance with their decisions. Some of our initiatives include monitoring and promoting transparent, representative elections in the IAHRS and our complementary GQUAL campaign, which seeks gender parity in all international justice bodies.



### TRANSPARENCY AND GENDER PARITY IN IAHRS ELECTIONS

In the leadup to this year's elections for the IAHRS Executive Secretary, IACHR, and I-A Court, we provided timely access to information for civil society in the region, including awareness campaigns and public events with the candidates. We also worked with local actors in several countries to pursue improved domestic policies for the selection of candidates for international justice organs through transparent and participatory processes that took gender equality into account. In Argentina, following our visit, the government established guidelines for the process and promoted several female candidates. We also supported the creation of a panel of independent experts who evaluated the nominees, which helped verify the quality of the candidates. In part due to our efforts, we are happy to report that for the first time in its history the IACHR and I-A Court both achieved gender parity in this year's elections, with notably three female judges being elected to the I-A Court.

# **GOUA** CAMPAIGN

CEJIL's GQUAL Campaign, founded in 2015, aims to increase gender parity in international tribunals and monitoring bodies through advocacy, policy submissions, academic partnerships, and data collection. In addition to our aforementioned activities surrounding the IAHRS elections, a special report by the UN HRC on the topic of female representation, which GQUAL advocated for the creation of, was published. To celebrate this, we collaborated with Opinio Juris, an international. legal publication, to hold a <u>weeklong symposium</u> in October on gender representation, with articles contributed by the most prominent legal scholars in the field, including those in the GQUAL Secretariat

### Check GQUAL website!



### INTERNATIONAL COALITION OF HUMAN RIGHTS ORGANIZATIONS IN THE AMERICAS

CEJIL manages the International Coalition of Human Rights Organizations in the Americas (the Coalition), which pushes for an effective, transparent, and representative IAHRS. The Coalition held five meetings with the IACHR throughout the year to discuss suggestions and recommendations regarding the processing of cases and precautionary measures, as well as to learn more about the measures that the IACHR has taken to improve its internal processes.

The close dialogue the Coalition has with the IACHR is essential to the Coalition's ability to realize its mission; for instance, in September, the Coalition successfully convinced the IACHR to extend the call for applications for the position of Deputy Executive Secretary for Petitions and Cases. This extension allowed for more transparency in the application process and additional qualified candidates to apply for the position.



### ADVOCACY FOR HUMAN RIGHTS DEFENDERS AT THE UN HUMAN RIGHTS COUNCIL

During the 48th session of the United Nations HRC, CEJIL collaboratively held a meeting on the "Criminalization against human rights defenders in the context of extractive industries," with the participation of several organizations from Latin America and the Rapporteurs on the situation of defenders of the IACHR and the United Nations, represented by Joel Hernández and Mary Lawlor respectively.

### **RED ANA**

Red ANA: The Americas Network on Nationality and Statelessness is a network of over 35 civil society organizations, academic initiatives, and individual experts committed to addressing statelessness in the Americas. In January, Red ANA represented the Americas at the UN High Commissioner for Refugees Assistant High Commissioner for Protection's meeting with regional civil society networks on statelessness. In September, Red ANA participated in a forum convened by Sin Fronteras IAP, to discuss the phenomenon of statelessness in the Americas and in Mexico. In November, Red ANA participated in an event convened by partner organization OBMICA (Dominican Republic) about combatting statelessness in the Dominican Republic and regional statelessness advocacy efforts.

<u>Check out our podcast, La Ruta, for a deep dive</u> <u>into the stories, realities, and impacts of human</u> <u>mobility in Mesoamerica.</u>







### **READ SOME OF OUR ARTICLES**

» "Moving fast on climate: the urgent need to tackle short-lived climate pollutants in Latin America and the Caribbean"

»\_"The case of Jineth Bedoya v. Colombia and the challenge by the Colombian State before the Inter-American Court"

» "The victory of the Miskito divers: a milestone for respect for human rights"

»<u>"Social protest: a pillar in the continuous</u> growth of Colombian democracy"

» <u>"The GQUAL Campaign – Witnessing Change</u> on Gender Balance in International Bodies"

### **CEJIL IN THE PRESS**

CNN: La Esperanza Protocol: the international pact to protect human rights defenders that honors Berta Cáceres

» EFE: <u>Representatives of human rights</u> defender Digna Ochoa describe Inter-American Court ruling as historic

» Guardian: Colombia found responsible for 2000 kidnap and torture of journalist

» France 24: Inter-American Court condemns Guatemala for Los Josefinos masacre after decades of impunity

» Folha de São Paulo: Brazil is convicted of femicide in a landmark decision by an international court





### JOURNALIST AND PRESS COLLABORATION

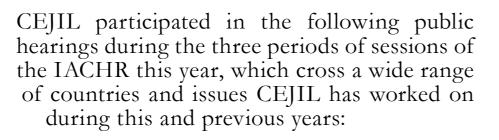
We strengthened our relationships with journalists through three collaborations for special products with Focos TV, El Salvador (a report on the Beatriz case); Prensa Comunitaria, Guatemala (a series of infographics on judicial independence); and Public File, Nicaragua (a <u>documentary</u> on the closure of democratic spaces). We also developed a workshop with journalists on human mobility and climate change, which produced six articles on the subject:

- » Alexandrina's double banishment
- » Climate change: The unexpected Miskitu migration to Costa Rica after the hurricanes
- » The forgotten migrants of the Dry Corridor of Honduras
- » Guatemala: a Mayan Chuj community faces climate change and the impact of two hydroelectric plants
- » A Honduran family forced to migrate by storms and gangs
- » Tabasco in the face of the climate crisis: resistance, but without public policies to face it

### **ECONOMY OF THE EUROPEANUNION**

THE WORLDIS MESSEDU

### PERIODS OF SESSIONS OF THE IACHR



### 179th:

» Access to truth, justice and reparation with a gender perspective in Uruguay » Impact of colonization on the indigenous territories of the Atlantic Coast in Nicaragua

» Human rights and extractive projects in Honduras

### 180th:

» Protection of the human rights of persons in situation of human mobility in Mexico

### 181st:

» Follow-up to the observations and recommendations of the working visit to Colombia

» Use of surveillance technologies and their impact on freedom of expression in the context of the pandemic in the region » Situation of human rights of women and girls in the context of the protests in Mexico » Human rights situation of justice operators and judicial independence in Guatemala



In 2021 we held hearings, were panelists, co-sponsored, and otherwise participated in dozens of events. Follow our social media to find out about our latest activities!

» "Strategies to Combat U.S. Solitary Confinement: Domestic and International Legal Approaches" (hosted by American University Washington College of Law International Human Rights Law Clinic)

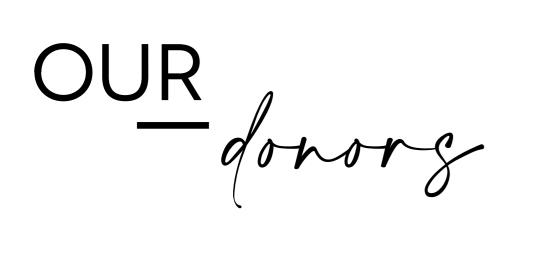
» "Jineth Bedoya Lima Case: Inter-American Court of Human Rights Progress and Challenges" (hosted by Santo Tomás University in Colombia)

» "Towards a New Latin America and the Caribbean in the Post-Pandemic" (hosted by the Social Initiative for Latin America and the Caribbean [ISALC])

» "International Legal Framework to Protect and Investigate Threats Against Human Rights Defenders" (in collaboration with Redress, RFK Human Rights, and Silliman University College of Law)

» "Due Process in Migratory Sanctions: a Dialogue in Light of the Temporary Protection Status for Venezuelan Migrants" (hosted by U. Andes Center for Migration Studies in Colombia)

### SAMPLE EVENTS





Schweizerische Eidgenossenschaft Confédération suisse Confederazione Svizzera Confederaziun svizra

Agencia Suiza para el Desarrollo y la Cooperación COSUDE













National Endowment for Democracy Supporting freedom around the world

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Norwegian Ministry of Foreign Affairs













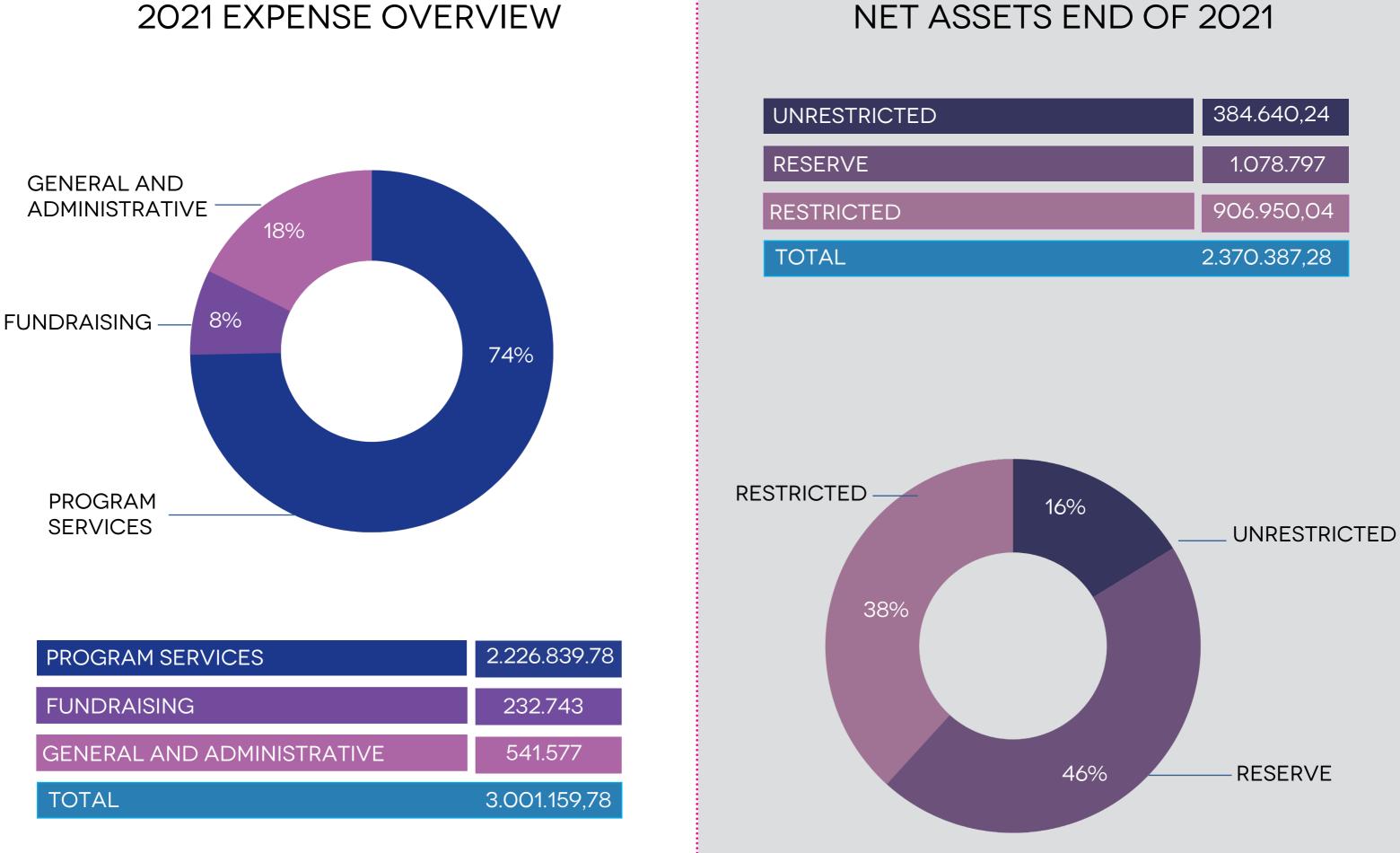












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competitions. It includes short term and you gain cales by acquiring and keeping good outco Marketing strategy's goal is to increase long term activities of marketing that has to sales and achieve the advantage over other to with the analysis of a company's Pulling your strategy into action is how atuation and contribute to it's objec- your marketing plan should work. Marketrest Proceeders will be based on how ing budgets will be set. At the same time, it

It is a process to plow an organiza- networking, advertising etc.

has to do with the analysis of a company's the greatest Marketing strategy's goal is to increase situation and contribute to it's cope-sales and achieve the advantage over other tives. The objectives will be based on how of m

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THE REAL PROPERTY OF

competitions.

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