
Caso Maricruz Hinojosa e Outras Vs. República de Fiscalândia

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&W,'+ SXEOLFDFLRQHV 0HPRULD GHO 6HPLQDULR ³(O VLVV
ORV GHUHFKRV KXPQQRV HQ HO XPEUDO GHO VLJOR ;;;,'

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

3

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

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Comentários à Convenção Americana sobre Direitos Humanos

3

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

,QWHUDPHULFDQR GH 3URWHFFLYQ3GH ORV 'HUHFKRV +XPDC

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CASOS LEGAIS

CtIDH

Apitz Barbera e outros vs. Venezuela	6 H Q W H Q o D	3
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ABREVIATURAS

\$UW V \$UWLJR V

† †† 3DUiJUDIR V

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

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

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

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

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

& + &DVR +LSRWpWLFR

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

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

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

'3/) Due Process of Law Foundation

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

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

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

-XQWD -XQWD GH 3RVWXODomR

2& 2SLQLmR &RQVXOWLYD

3 (3HUJXQWD GH (VFODUHFLPHQWR

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

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

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

\$PEDV VmR SURFXUDGRUDV FRP SDUWLFLSDomR HP LQYHVW
KXPDQRV

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

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

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

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

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

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

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

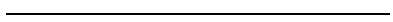
ED &\$'+ VH FXPSUHP TXDQGR RV FULWpULRV H SURFHQ
UDJRIYHLV H REMMMISYHOD S/DXQDVSGBRFRPIRDWDS&EDELGHGDRH
VH GDGLDQWH R UHVSHLWR DR SULQFtSLR GD LJXDOGDGH H
GLUHLWR

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

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

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

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



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

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

1R SURFHGLPHQWR VHOHWLYR* ~~EDDD BFDLVRDGH BGRFXD~~
VX~~E~~HSUHVHQWDomR GH PXOKHUHV LQVFULWDV GDV SRXFD
GHODV FRPS{V D WHUQD HVFROK~~VGR SHDQ-WQWD DGH [BRW~~
LPSHGLPHQWRV QR DFHVVR GDV PXOKHUHV DRV FDUJRV S~
KLVWyULFD

(QIDW~~H~~]DDVLP R GHYHU GRV (VWDGRV HP DGRWDU WR
HOLPLQDU D GLVFULPLQDomR FRQWUDDDQ~~FLQKRISHOHQB ML~~
VHXV GLUHLWRV SROtWLFrv HP XPD GHPRFUDFLD SDUWLFL
HVSH~~MLDLSRU\$ULQGD~~ p LPSRUWDQWH IULVDU TXH PHGLGDV
SUHYLVWDV SDUD R EHQ~~tHILFRLR GHILJR XGSRVFPVSDWHU DV C~~

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

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

SHVVRD RX JUXSR FRP FHUWDV FDUDFWHUtvWLFDV

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

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

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

RV GDTXHOHV FRQVLGHUDGRV ³DSWRV´ VHP MXVWLILFDU
FDQGLGDWXUDV

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

DGVWULWRV j GLVFULFLRQDULHGDGH GD -XQWD

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

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

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

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

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

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

0DULFUX] H 6DQGUD

2.3.4

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

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

FRP LPSDUFLDOLGDGH

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

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

\$OLFDOHQWDO HQWHQR XPRXFRQDOR DR GLUHI
HIHWLYR SUHYLVWR QR DUW GD &RQYHQOR HP SUHM
LJXDOPHQWH D YtWLPD HVWDYD GHVREULJDGD GH HVJRWD

+i GH WHGDU SRU ILP TXH R SURFHVV GLVFLSOLQDU I
GD /HL 2UJKQLFD GR 3RGHU -XGULIURR ŽGD) &SF DOKVLEHC
R (VSDGRV GHYH DGRW DU PHGLGDV SDUD TXH R HVWDEHO
FRSULGR HP VHX RUGH, VPRHQVRO LQWHVUDRE pP R GHYHU GH

Ibidem.

- 3 (Qž
- 3 (Qž
- 3 (Qž
- 3 (Qž
- 3 (Qž

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

3 (†

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

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

VLWXDomR LPSRVVtYHO GH VHU UHYHUWLGD SRUTXH DIHW

&XPSUH UHVVDOWDU QHVVD FLUFXQVWkRfdr R HQWHC

Trujillo Vs. Venezuela VHJXQGR R TXDO D PHGLGD GH UHVWLWXLomR

5HYHUyQ QmR DIHWDYD R GLUHLWR GR MXL] SURYLVyULR C

D YDOLGDGH GR DWR TXH GHVWLWXLX D MXt]D FRQVWLWxt

PDJLVWUDGR

\$LQGD DVVLP FRPR QR FDVR

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

\$SHVDU GH DV YtWLPDV WHUHP DSRQWYGRFXIPDQDpLVLH G
R 6HJXQGR 7ULEXQDO &RQVWLWXFLRQDO GH %HUHQD MXOJ
VRE R IXQGDPHQWR GH TXH DHQDp oXPRD GR WURFXDGDGR B
([HFXWLYR

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

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

2XWURVVLP ~~FT~~ ~~XH~~ ~~TR~~ ~~H~~ ~~V~~ ~~WD~~ ~~GR~~ ~~D~~ ~~GR~~ ~~WH~~ ~~PH~~ ~~GL~~ ~~GD~~ ~~V~~ ~~L~~ ~~PH~~ ~~GL~~ ~~D~~ ~~W~~ ~~D~~ ~~V~~
QRUPDV TXH UHJXODP RV SURFHGLPHQWRV GLVFLSOLQDUHV
H JDUDQWDP D LQGHSHQG rQFLD H LPSDUFLDOLGDGH GR 3R

3RU ILP R (VWDGR G ~~WR~~ ~~PD~~ ~~UD~~ ~~FR~~ ~~GH~~ ~~GD~~ ~~VR~~ ~~OD~~ ~~J~~ ~~L~~ ~~V~~ ~~O~~ ~~D~~ ~~W~~ ~~L~~ ~~Y~~ ~~D~~
XP UHFXUVR MX ~~GL~~ ~~PF~~ ~~LD~~ ~~FR~~ ~~H~~ ~~G~~ ~~H~~ ~~V~~ ~~GL~~ ~~FR~~ ~~L~~ ~~V~~ }HV VDQFLRQDWyULDV GH

4. PETITÓRIO

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

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

\$LQGD FRP IXOFUR iuaRnov8Lur1@FtSH7X100 GHFODUDomR G
UHVSQRVDELOLGDGH GH)LVFDOKQGLD SHOD YLRODomR GR
DV YtWLPDV