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),6&\$/\$1', \$ 98/1(5i /\$ (67\$%,/, '\$' < q \$1(

` w@ 0 /195/( 6//p5

),6&\$/\$1', \$ 9,2/ï /\$ , \*8\$/'\$' (1 /26 &\$5\*26 (1 3(5-\$;8,21\$

1. ABREVIATURAS

\$VDPEOHD \*HQHUDO

\$\*

&amp;RPLVlyQ ,QWHUDPHULFDQD GH 'HUHFKR, V++XPDQRV

&amp;RPLWp GH 'HUHFKR V +XPDQRV

&amp;' +

&amp;RPLWp GH 'HUHFKR V (FRQyPLFRV 6RF&amp;B D H W &amp; XOWXUDOI

&amp;RPLWp SDUD OD (OLPLQDFLyQ GH WRG&amp;R PL W F L PLQDFLyQ

&amp;RQYHQFLyQ \$PHULFDQD VREUH 'HUHFKR, V++XPDQRV

&amp;RUWH ,QWHUDPHULFDQD GH 'HUHFKR V +XPDQR, V

&amp;RUWH 6XSUHPD GH )LVFDODQGLD

&amp;6)

'HUHF+KRV XPDQRV

''++

-XQWD GH 3RVWXODFLyQ GH )LVFDODQGLD XQWD

2SLQLyQ &amp;RQVXOWLYD

2&amp;

2UJDQL]DFLyQ GH ODV 1DFLRQH V 8QLGD 2M 8

5HS~EOLFD GH )LVFDODQGLD

)LVFDODQGLD (VWD

6LVWHPD ,QWHUDPHULFDQR GH 'HUHFKR, V++XPDQRV

7ULEXQDO (XURSHR GH 'HUHFKR V +XPDQR, V



L & DUWD 'HPRFUIWLFD , QWHUDPHULFDQD Pág. 35.

LL&RQYHQFLyQ , QWHUDPHULFDQD FRQWUD OD &RUUXSFLyQ

LL&XPEUH GH ODV \$PpULFDV &RPSURPLVR GH /LPD VREUH

OD FRUUXSFLyQ Pág. 22.

218

L \$\* 'HFODUDFLyQ VREUH OD 3URPRFLyQ \ 3URWHFFFLyQ GH

LL'LUHFWULFHV VREUH OD '2&QFLyQ GH 'ORV )LVFDOHV

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LL&DV%RDHQD 5LFDUGR \ RWURV 9V 3DQDPi 6HQWHQFLD

Pág. 29.

LY&DV%RiPDFD[V9HXO] 9V \*X6DHWPHDQFLD GH )RQG&RV5MISDUD

Pág. 31.

Y &DV&RDVWDxHGD \*XWPDQ 9V (VWDGROW8QIEGBVG0H([FBS

3UHOLPLQDUHV )RQGR 5HSDUDFLRQHV \ &RVWDV

YL&DV&RDVWLOOR 3HWUX]]L6HQRWHUCRFLD9VGBH)BQGR 5HSDUD

Pág. 33.

YL&DV&RKRFUyQ &KRFUyQ 9V 9HQH]XHOD 6HQWHQFLD GH

5HSDUDFLRQHV \ &RV25/29)34. Págs.

YLL&DV&RDXGH 5H\HV \ RWURV 9V &KLOH 6HQWHQFLD G

Págs. 29/43.

L[ &DV&R OLQG UHV 6FKRQHQE6HUWHWQ(DD600Y)BQBR 5HSDU

Págs. 30/35.

[ &DV&R RPXQLGDG &DPSHVLQD GH 6DQWD %iUEDUD 9V

5HSDUDFLRQHV \ &RV20)DV Pág.

[L &DVR GH OD &RPXQLG6XGLOQREHVDQ9FLD ([FHSFLRQHV :

)RQGR UHSDUDFLRQHV \ &RVWDV Pág. 19.

[LL&DVR GH OD &RUWH 6XSUHPD GH -XVWLFLD6HQXLIQVFLDQD

GH ([FHSFLyQ 3UHOLPLQDU )RQGR 5HSDUDFLRQHV \ &R

[LL&DVR 'XUDQG \ 8JDUWH 9V 3HU~ 6HQWHQFLD GH )RQGR

[LY&DVR )DLUpQ \*DUEL \ 6ROtV &RQWBQFMD9GH+)RQGRUDV

20.



[Y & DVR )ORU )UHLUBHQWHQFDGRGH ([FHSFLyQ 3UHOLPLQD  
&RVWDV Pág. 25.

[YL&DVR \*HQLH /DFD\R 9V 1LFDUDJXD 6HQWHQFLD GH  
Pág. 19.

[YL&DVR \*RQ]iOH] \ RWUDV &DPSR \$OJRGRQHUR 9V OF





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YL&DFLXQD 3ROtWLFD ,QWHJUDO GH 3URWHFFLyQ D 3H

2(\$ 6HU / 9 ,, 'RF s.27/28. Pág

2 @P ì«Ñ 4]HñB/ FLD @ A00 Du uPP ` VF

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LLÆVHUYDFLyQ \*HQHUDO 1f (O 'HUHFKR D XQ -XLFLR  
 7ULEXQDOHGH\ - &RWWFIVD Pág. 44.

&216(-2 '')+ +

L ,QIRUPH GHO 5HODWRQJ (MSHCFE D QFDLEWUSQBRVD GRV  
 /HDQGUR 'HVSRX\ 4. Págs. 33/4

LL,QIRUPH GH OD 5HODW, QGBS (WSEFIQDQDWBLESBQD GRV  
 \*DEULHOD .QDXOPágs.27/34.

LLQIRUPH GH OD 5HODW, QGBS (WSEFIQDQDWBLESBQD GRV  
 \*DEULHOD .QDXO Pág. 27.

3. HECHOS

/D 5HS~EOLFD GH )LVFDODQGLD HV XQ (VWDGR DPHULF  
 ORV SULQFLSLRV GH VHSDUDFLyQ GH SRGHUHV LQGHSHQG  
 VHQWLGR KD UDWLILFDGR QXPHURVRV LQVWUXPHQWRV LQV  
 OD FRUUXSFLyQ

)LVFDODQGLD HVWi HVWUXFWXUDGD HQ ORV SRGHUHV (  
 3RGHU (MHFXWLYR HVWi HQFDEHJDGR SRU HO 3UHVLGHQWH  
 GHO 3DUWQR (V(ORV3RGHU -XGLFLDO HVWi LQWHJUDGR SRU  
 -XJJDGRV GH SULPHUD LQVWDQFLD /D &6) QR VyOR HMFUHF  
 VLQR WDPFLpQ GLVFLSOLQDULDV HQ WDQWR VH HQFDUJD  
 \$GHPWV SUHVLGHQWH ÈQJHO /RER TXLHQ WLHQH OD IDFXO  
 KD VLGR GHXQFLDGR SRU PDQLSXODU VX FRPSRVFLyQ H  
 GHXQFLDV KDQ VLGR DUFKLYDGDV 3RU RWUR ODGR HO 3  
 HQWUH ORV TXH VH HQFXHQWUD OD )LVFDOD \*HQHUDO e  
 HOHJLGR D SRU HO 3UHVLGHQWH WUDV DQDOLJDU XQD WHU

(O VH SXEOLFDyQ 3017\$ &RUUHRV' GRQG  
 FRQYHUVDFLRQHV HQWUH XQ DVHVRU SUHVLGHQFLDO \ PLH  
 &XHQWDV RWUR yUJDQR GHO 3RGHU &RQWUDORU 6HJ~Q OD  
 HO DVHVRU QXPHURV VH OHFFLRQDGDV 7LHPSR GHVSXpV  
 3UHVLGHQWH \ H[ DOFDOGH GH OD FDSLWDO %HUHQD IXH L  
 FHOHEUDGRV FRQ XQD HPSUHVD SULYDGD 6LQYDGR BUJR H  
 &RPR FRQVHFXHQFLD OD )LVFDOD \*HQHUDO ODJGDQHQD

OD FUHDFLyQ GH XQD -XQWD SDUD OD HOHFFLyQ GH XQ QXH







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\ D O D O X ] G H O D M X D L R ' S U X H G X O V I R Q P Q D X H U B G D J R W D G R V  
S U R Q X Q F L D P L H Q W R G H O D & , ' + V R E U H O D D G P L V L E L O L G D G  
S U H O L P L Q D U S O D Q W H D G D S R U ) L V F D O D Q G L D

...&

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GLFWDURQ VHQWHQFLD VREUH HOI XHEXQV B DG/HPXQ PDDVJ ISVHW  
SDWLFHSDXUBQRFHGLPLHQWR G VWHF<sup>3</sup>FORVMJHVRUVRV LQWHQW  
VXSXHVWDV YtFWLPDV QR HUDQ FDSDFHV GH SURGXFLU HO  
HVWDEDQ FRQGHQDGRV DO IUDFDVR FRPR HQ OD SUIFWLFD  
(Q )LVFDODQGLD ED 86) yHU DORHGR FDUJDGR GH DSOLFD  
VDQFLRQH V GH VXVSHQVlyQ \G B LQWMLDQXFLDyQOLKHEWLEDCM  
SURFHGLPLHQWR GLVFLSOLQDULR GH FBQVODRQEXM VHG 00H  
7ULEXQDOH SGRFHVROLSFDQERtD T&H) O ELRQDDLQYHVWLJDFI  
VHD WDPELpQ OD FXB G VGHVHGFLDQD tXOMFDULRV X SQRWHQFLD  
FRQVHFHXQFLD 0DULLPQR F HGHEHWHWUOHV UHFxUVRV LQW  
HOUWtFXOR GH OD &\$'+ VGDGLRGRHVWwiQGDUHV GHO 6,'+  
)LVFDODQGLD UHFxUVR DOJXQR TXH SXGLHUD LQWHQWDU T

5. CUESTIONES DE FONDO

\$ (/ &217(;72 '( &25583&,i)1,6(8\$/\$1', \$

/D FRUUXSFLyQ HV XQ IHQyPHQR TXH GHELOLWD ODV  
FRQILDQ]D GH OD FLXGD GIDRBUED HOO JRFVIXQDEPRQDQWBV HV  
DFW~DQ FRPR DJHQV FNDQSR FURQVXSHFLyQ V SULDYDGRV VHD

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&RUWH,'+ 7ULEXQDO &RQVWLWXFLRQDO 9V 3HU~ ^  
\$FODUDWRULD  
+HFKRv^  
\$FODUDWRULD  
+HFKRv^  
&IU &RUWH,'+ 5DPtUH] (VFREDU \ 2WURV&9V I&RUPHVRGDH &RUUXSFI  
''++ ^ 2(\$ &RPSURPLVR GH /LPD VREUH \*REHUQDELOLGDG 'HPRF  
^  
&IU &,'&IRUPH VREUH &RUUXSFLyQ2(\$'+&RQYHQFLyQ ,QWHUDPHULFDQD  
SUIPEXOR







VX IXQFLyQ SRU SDUWH GH yUJDQRV DMHQRV WOUBRGQDO-XV  
TXH HMFHFHQ IXQFLRQH V GH &RUWUHLyQURDDSEQDMLFQDPHQW  
(VWDGRV HVWiQ REQJDDGSRVUDHJQFIDDQVH]DQGHSHQGHQFLD G  
FRQILDQ]D QR VyVR QFODXFLXIGFLDDEQHD HQ XQD VRFLHGDG

\$O VGRVWXHFHIXQGVDPHQWDOHV SDUD ISO RXQH J(HVUV DGRV  
GHPRFUIQVLEFRQ HVWDEOHFHUVH SURFHGLPLHQWRV HVWULFV  
/D LQGSHQGHQFLD MXGLFLDO M[XLHHDXQVLDVGRVDMWXJLDy  
GLVFLSOLQDQVSHHNGEFPHQVSHLSRUSLR GH QDLPDQVHYEUGK  
GHVWLWYDRLGQEH SURFHGHU SRU FRQGXFWDVHFODVHDVHQWH  
FDVR GH QHJOLJHQFLD R LPSHULFLD GHEHQ H[LVWLU RWUD

3DUWLFXQIDUQRQWHODWLYR D VDQFLRQH V GLVFLSOLQD  
H[LJHQFLD GH PRWLYDFLyQ HV PFKR PD\RRTXWSDUFRWVY  
ODV UHVROXFLRQH V GH FDUiFWHU GLVFLSOLQDULR GHEHQ  
FRQVWLWX\H XQD IDOWD \ HO GHVDUUROOR GH DUJXPHQW  
WLHQHQ HQWLGDG VXILFDH QVHR SDUD DMXV]WDIHFQVXTKEUXQ

\$Vt EDXQXDOHGRVWLHUD XQD GHFODUDFLyQ GH HUURU M  
XQ yUJDQR GH UHYLVLyQ GHEH DQDOL]DUVH OD JUDYHGDC  
VDQFLyQTXH ORV IXQFLRQDULRV MXGLFLDQXHFQDREBEHQV

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&IU &RUWH,'+ 5HYHUYQ 7UXMLOOR 9V 9HQH]XHOD ^  
&IU &RUWH,'+ +HUHUD 8OORD 9V &RVWD 5LFD ^  
&IU &RUWH,'+ \*DUDQWtDV SDUD OD ,QGHSHQGHQFLD GH ORV DV 2SHUDGRUHV  
&IU &RUWH,'+ 7ULEDQDQV &RUWVWLWXFLRQ  
&IU &RUWH,'+ /ySH] /RQH \ RWURV 9V +RQG XUDV ^  
&IU &RUWH,'+ (GXDUGR 5LFR 9V \$UJHQWLQD ^  
&IU &RUWH,'+ 4XLQWDQD &RHOOR 9V (FXDGRU ^  
&IU &RUWH,'+ )ORU )UHLUH 9V (FXDGRU ^  
&IU

GHELGR D TXH VX GHFLVLyQ IXH UHYRFDGD PHGLDQWH XQD  
VXSHU(LPS)DUWLFXODU OD PRWLYDFLyQ GH XQD GHVWLWXF  
GLIHUHQFLD UD]RQDEOH GH LQWHUSUHWDFLRQH V MXUtGLFD

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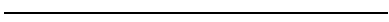
UD]RQDEOHPHQWH OOHYDWD FDDTSLSDMDYMDWJLGHQWH FRQ  
QHJOLJHQWH

6XEVGLDULDPHQWH D~Q VL PIRWLHYDMD FULBSQRVKXEV  
FRQVLGDGFXMVLXQDLGQSLYRGRVFLTRQHDGDHPSUHOGVLEPHDUtD  
UDWRIRHUPGHSHURGH]DU OD HVWDELORISGHDGGRUHOXFDWLFRRD  
(Q WRGR FDVR )LVFDODQGLD GHEHUtD KDEHU XWLOLJDGR  
VDQFLRQDUDDR 5H[

I(B) SOBRE LA ESTABILIDAD Y AUTONOMÍA DE LOS /AS FISCALES

/D HVWDELOLGDG GH ORV DV MXHFHV ]DV UHVXOWD WDF  
GHVHPShxDQ XQ SDSHO IXQGDPHQWDOCHVQUHGOFFRIGVRVXVD  
LQYHVWLJDFLyQ \ GHIHQVD GH ORVDTXFDXGRENQWRGVH SX  
LQWHUQDV \ H[WHUQDV FRQ UHVSRBWHRORODWDGIDWLD RGHV  
PLQDU OD FUGLELOLGDG GH OD DXWRULGDG ILVFDO \ VRF  
MXVWLFLD

I3RU RWUR ODGR HQ WDQWR RSHUDGRUHV



(Q HVWH VCHWMLGRO HV TXH VURQS VHSVDFLDQY B MWLJDU FD  
FRUUXSFLYQ UHFLELU SURWHFFLYQHSEHUJSDUDQWLGBO (HOWBQ  
IXQFLYQ VLQ LQWLPLGDFLYQ KRVWLBDPPIHQWLR ORD V QFMDXUHD  
SURPXHYHQ DIHFWDQ SDQGLLOODV JUXSRV GHOLQFXHQFLD  
HPSUHVDULDQHV R DJHQWHV HVWDWDQHV HQWUH RWURV

(V QHFHVDULR TXH ORV WUDVODGRLDGRVSHOXDGRUBM  
UHDOLJDGRV FRQ EDVH D FULWHULRV S~EOLFRV \ REMHWLY  
\D TXHH OR FRIQVWHD DPHGUHQWDPLHQWR DFWXGHDSURFWRRE  
OD DWHQFLYQ GHELGD SDUD HO HQMXLFLDPLHQWR GH IXQ  
HVSHFLDOPHQWH OLJDGRV D OD FRUUXSFLYQ

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ODJGDOHQDKDVERREBQJDGR D LQYHVWLJDU SUHVXQWRV  
LQYROXFUDEDQ LQGLUHFWDPHQWH DO 3UHVVLGHQWH 2EUHJY  
OD -XQWD SDUD QRPEUDU D 6LQEQHQYQR)UXFDORURQBBBQW  
UHPRYHCBUHVVLGHQWH QRPEUY D XQD QXHYD SHUVRQD HQ  
IXQFLDQHTXH IIFWLFDPHQWHOFRQYVBLQDX\FHQRMDDHQCB  
IXH WUDVODGDGD DO GLVWULWR GH ORUHQD FDUDFWHUL  
SDQGLDQVXVBJGDQBQD GHQXQFLDGR DFWRV GH KRVWLJDP  
TXLHQ UHVXOWy ILQDOPHQWH HOHJLGR )LVFDO \*HQHUDO 3

&IU &,'+ ,QIREUPH OD 6LWXDFLYQ GH 'HIHQVRUDV HV GH ''++ ^

VXIVWDELOLGDG HQ HO FDUJR

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3RU ~~SDWVH~~ )LVFD~~QDQGLG~~HIQMDyDQWH OD &,'+ TXH HC  
KDEHU DJRWDGR ODV YtFWL~~SDV~~-~~HV~~ODD ~~DFJLLy~~QD~~G~~Hy~~QXQLVFDG~~  
H~~S~~URFHVR F~~DCW~~HQ~~ELV~~~~RV~~~~DL~~Y~~DP~~H~~Q~~~~W~~~~S~~H~~R~~H~~G~~FFV~~R~~QDU GH OD  
S~EO~~L6FLQ~~ HPE~~HQ~~~~S~~~~D~~ODE~~SURV~~~~S~~QH OD

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SURFHVR WUDQVFXUOLQXDYRDLWD DO DGTXLHUD HO FDUJR

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DQWHGLFKRV HQ SDULWLRQDWRXSRUTXSRVLELOLGDG GH UH

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LQGSHQGHQFLD MXGLFLDO HQ FRQMXQFLyQ FRQ HO GHUH  
LJXDOGDG D XQ FDUJR S~EOLFR

(O GHUDEFKRGHU D FDUJRV S~EOLFRV HQ FRQGLFLRQHVV  
SDUWLFLSDFLyQ FLXGDGD L FSHVDFLW LGHOGHSHOQ FHWQGR  
GLVPLQXD GSRVLELOLGDG GH TXH VXV DJHQWSEVUWEDXUUDQ  
HO DFFHVR FRPR OD SUJRPD GFRFRVU YRVVLJQDFLyQ \ QRPEU  
LQFQRH DGHPiV OR UHODWLYR D ORV SURFHGLPLHQWRV C

3RU RWUR ODGR OD HSVWQFESDRUGHOD BXDO GFRGOHOR GL  
DO (VWDGR D JHQHUDU FRSHGLFLDGRHQWYSWIDPDWWWUXDFLGR J  
YXOQHUBELMLVGDG LFDPHQWH H[FOXLRV FRPR ODV PXMHUH

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,\*8\$/'\$' (1 3(5-82&( /\$6 9E&7,0\$6

ODULFUX] \ 6DQGUD YLHURQ YXOQHUGR VX GHUHFKR D  
GH LJXDOGDG DO QR LQDEKQDSALGR HQWMLGDU OD WHUQD ILC  
HO SULPHU \ VHJXQGR OXJWU D V H G R V H Q H R B G S X B Y D O M B F I Q y Q D  
GH FRQRFLPLHQWRV \ KDEHUUORSHUBVRYDPHQWBSXQHQROD  
DQWHFHGHQWHUUBRHOOD FRQWLQDOPHQWH FRQIRUPDGD

UHVXOWDGRV REMHWLYRV IXHURQ QRWORE OTHPH QW EHG HQIFLU  
LUUHJXODULGDGHV GHO SURFHVR

\$ VX YHJ 0DYJGRDYKQD HUDGR VX GHUHFKR D SHUPDQH  
FRQGLFLRQHV GH LJXDOGDG DO KDEHDQVLEHYHQE HODVSUFD  
GH )LVFDO \*HQHUDO \ WUBRQWLDQXGD DXHLQFMRWLGJHFLRQ U  
GH FRUUXSFLYQ TXH LQYROXFUDEDQ DO LDFSADDOQRKMLHUHQV  
OOHJDU DORFRVDFUJRV FRPR RSHUDGRUDV GH MXVWLFLD  
)LVFDODORVROAEB SAH GSAFWX DQGR ODV WUDEDV D XQD HIHFWL

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HMHUFLFLR GH VXV GHUHFKRSRIOGVFLXDD (X\WHDGRLWFUIDP GQIDF  
SXHGH VHU GLUHFWD R LQGLUHFWD H[LVWLHQGR HVWD ~O  
VX DSOLFDFLyQ UHV(XVWD FGD R QIRP ODDWFXULDUHV FX\D SUH  
GH UHVSQRQVDELOLGDG HV HVFDVD HVWiQ HQ VLWXDFLyQ  
DSOLFDFLyQ SDUXIQDWRWQDWHQHFRDQR SØHGH SHUSHWXDU  
GHVL@YDÄgRE €%•E

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GHPRFUDFLD (V SRU HOOR TXH LQYROXFUDU D HVD PXMI  
LPSUHVFLQGLEOH SDUD FRQVROLGDU OD GHPRFUDFLD SDUV

(Q FRQVHFHXHQFLD DUGUHEJHEDK PHSBVR' MXVWLILFDU XQD  
EDVDGD ~QLFDPHQW H VSO FHLV D B HQM y QFRV J B Q HURQ GR XQB  
FDWHJRUD VRVSHFKRVD GH VGLVGLRDFLy Q C H VWL D VOX G H O F  
WUDWD GH XQD SUIFWLFD KLVWYULFD GH GLVFULPLQDFLyQ  
UDFLR ODOMXULVSHU XGLYQHILVR VLVWHPDV GHHQ SURV B FFT y Q  
GLVFULPLQDFLyQ VH SUHVXPH LQYLFUWUHQV S RQD M B Q BR D  
GHPRVWUDU TXH VX GHFLVLYQ QR WHQtD SURSyVLWR GLVFU

3RU HOOR FXDOTXLHU GDWU Q B E Y G Q P Q W Q R F X G S L G P X K  
OD SUHVHQFLD HTXLOLEUDGD GH KRPEUHV \ DX M D U K R V D V G M  
DGRSWDU PHGLGDV SRVLWLYDV TXH FRPEDWDQ OD VXEUS

(VWR FREUD YLWDO UHOHYDQGLD M X Q V D W H D U L E V S H F L S K  
VHOHFFLyQ \ QRPEUDPLHQWR GH ILVFDQHV (Q H V W D L Q Q H D  
VHJ~Q ORV PpULWRFD S V S L H U L R W D O M V Q R H W D P E L p Q H O D V H J  
GH RSRUWXQLGD GH VWDU TXH ODV DXWRULGDGHV WHH EDVH

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&IU 218 'HFODUDFLyQ \ 3ODWDIRUPD GH \$FFLyQ GH %HLMLQJ ^  
&IU '+ 3DUWLFLSDFLyQ 3ROtWLFd GH ODV OXMUHV HQ ODV \$PpULFDV  
&IU &, 0DUtD (XJQLD 0RUDOHV GH 6LHUUD 9V \*XDWHPDOD  
&IU 8SULPQ&iQFKHJL(H` °0

GHEH JDUDQWL]DU TXH ORV JUXSRV LQVXILFLHQ(QHPVHQMWH U  
DVSHHWRFDVWVULGMQDOHV HYDOXDGRUHV GH FDQGLGDWRV  
KRPEVHVKD GHVWDFSDGRJUMR GH ODV PXMHUHV KD VLGR O  
KRPEUHV TXH HVWiQ HQ SXHVWRV GH GHFLVLyQ FRQRFHQ  
ODV FXDOLGDGHV \ KDELOLGDGHV GH ODV PXMHVHVDVHQ S  
SDUWLFLSDFLy(QVWHPWQHQGHQFLD D PDQLSXODU OD HOHFFL  
GLVFDVWFLD DV DUUDLJDGDV HQ ORV yUJDQRV GH VHOHFFLy  
GH FRUUXSFLyQ

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6\$1'5\$ '(0\$6752

(O (VWDGR QR IDYRUHFLy HOODEV FIVGt D H HQPEUDDVOPXMHC  
UHJLyQ H[LVWHQ FXRWDV GH JpQHUR WHQGLHQWHV DO  
\$UJHQWLQD %ROLYLVDFD@BQGKD DWLHQH XQ ~QLFR SUR\HFV  
SRU HO DQGLRHT@FLDFWXDOPHQWH HO SRUFFHQWUDPHHGMHS  
LQIHULRU \$VLPLVLaB ORV @0T êSÀ \$N e00#ÓTU`0Ru

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0iV D~Q )LVFDODQGLD WDPSRFR DSOLFy PHGLGDV SRV

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OD GLVWLQFLyQ HIHFWXDGD HQWUH ODV YtFWLDPDV \ ORV  
UD]RQDEOH SURSRUFLRQDGR \ DMHQR DO KHFKR GH TXH V

),6&\$/\$1', \$ 9,2/; \*8\$/'\$' (1 /26 &\$6\*1 3(5-8, &(20\$\*'\$/ (1\$(6&2%\$

(O (VWDGR QR FRQVLGHUy OD LPSRUWDQFLD GH TXH OD  
)LVFDO \*HQHWDQWR XQD PXMHU HV LQGXDGOHPHQWH O  
PiV DOWR FDUJR GH OD )LVFDOtD HQ HO FRQWH[WR GH XQ (Y  
LQYLVLLELOLJD ODV QHFHVLGDGHV GH ODV PXMHUHV \$XQTX  
3IRUPDOPHQWH GHVWLWXLGD' ORV KHFKRV GHPXHVWUDQ T  
D XQ QXHYR RFXSDQWH GH VX SURSRUFLRQDGR GHVWLWXF

\$ VX YH] )LVFDODQGLD MXVWLILFy HO OODPDGR D OD  
SHUPDQHQWH \D TXH HO GH ODJGDOD HQHWDQWR HV HQHWDQWR  
FDUJR TXH VH YLR LPSHGLGR GH FXPSOLU VX PDQGDWR R  
QLQJXQD -XQWD SDUD UHHPDOD]DU ORV RWURV PDQGDWRV

DxRV SDUD TXH YHQFLHUD OD (GHWLJQDFWUD OD FOLYD  
XWLOL]DFLyQ GHO KDVKWDJ 3 %<(0\$\*'\$/ (1\$' SRU SDUWH GH  
HO YHUGDGHUR REMHWLYR SXQW GDOPH GFLGRUD WUHPARDYUH  
PXMHU TXH DGHPDFWLYGHWERDE SFLyQ TXHDSR SDEOHLGRQA  
SURSLR 3UHVLGHQWH

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E. FISCALANDIA VIOLÓ EL ARTÍCULO 13 DE LA CADH EN RELACIÓN CON EL 1.1 EN PERJUICIO  
DE MARICRUZ HINOJOSA Y SANDRA DEL M

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D~Q HQ FDVR GH GXGD R YDFYORR OMHJDSO UPLFXNDVXUWHWIEU(FDV  
 HVWULFWW\$EHEWHYHQWXG GHGHSWUODQLSSLRUHQ FLDV DGRV LGHDE  
 SURSRUFLRQDU OD Pi[LPD FDQWLGDG SRVLE\OBH\$WHPDQIRU  
 RILFLRND\$SHFLDOPHQWH FXDQGR VH WUDWD GH LQIRUPDF  
 RSHUDD\$B\$UHM XVWLEFLWR HQ HO FXDO HV HVHQFLDO TXH O  
 DXWRULGD\$SDUWLFXODU GHELGR DO D\$ODFHQWDDOOKXKDFX  
 FRUUXSFLyQ OD WUDQVSDUHQFLD DGP`Wš@0





XQ VX VHFUHW R HYLGHQFLD D~Q PIV TXH )LVFDODQGLD  
 GHWUiv GH OD VHOHFFLyQ ILQDO GHO )LVFDO \*HQHUDO  
 /D OLEHUWDG GH H[SUHVLyG LGHH FVYLRFDQGE B DDQGDUEH UX  
 ~QLFDV TXH QR W XFLHSDNUE HM SDFMR DU ODV UD]RQH V GH VX S  
 SRU ORV FXDOHV GHEFRUQV DQG VHUD QORH JDDG D V K QWD YLROy OD  
 WLHR SRU HJXQWDV SUHHVWDEOHLF LGDFLEBQ B DVFVRQRV UDHP D D  
 TXH VH SUHVHQWDURQ \ TXH ORJUDURQ REWHQH UDHOODPHMR  
 WRWDOLGDG GHO FRDHHFWLWR REBHQUDR B WJXQR REB V WDFXOR  
 VXV UHFODPRV D XQ OXJDU GH SUH(SRQGHU DWQRGR HQ VOF UD  
 LGHD GH TXH OD HOHFFLyQ GHILQDFLYG LGFRGHG H LGDFVW L  
 FDQGLGDSV DWHHQGLYV DQXHQ B B OD FODVH SROtWLFD GR

6. PETITORIO

3RU WRGRVHQ RWR D WJXRUHSLGFRVHQWDFLyQ VROLFLWD UH  
 &RUWH,'+ TXH GHFODUH OD UHVSQRVDEYLORLQDFV DQWIFXQRV  
 F HQ UHODFLyQ FRQ ORV DUWtFXORV \ DGMtFXQRV+  
 F \ HQ UHODFLyQ FRQ HO DUWtFXOR GH OD &  
 DUWtFXORV F \ HQ UHODFLyQ FRQ HO DUWtFXO  
 +LQRMRVD \ 6DQGUD GHO ODVWUR

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\$FODUDWRULD  
 +HFKRV^  
 +HFKRV^

'H FRQIRUPLGDG FRQ HO DUWtFXOR GH OD &\$'+ W  
LQWHUQDFLRQDO TXH KD\D SURGXFLGR XQ3 ~~RU xR DQVCR~~ OHHV  
UHSUHVHQWD ~~FMV~~ ~~SHW~~ ~~R~~ ~~Q~~ ~~V~~ ~~D~~ ~~P~~ ~~W~~ ~~D~~ WH TXH OD &RUWH,'+ GLFWH C  
&RPR ~~PL~~GD GH JDUDQWtD )LVFDODQGLD GHEH OOHYDU  
PDQHUD D GC00VP

EpbD DØ L S



MXHFH ~~DXJQD~~ LQVWDQFLD UHYLVRUD HQ ORV SURFHVRV  
 HIHFWLYRV TXH JDUDQWLFHQ OD WUDQVSDUHQFLD \ SX  
 FRPR DTXHOORV TXH SHUPLWDQ HO ~~HYQDXWLQDRJGR~~ VO  
 UpJLPHQ GH UHQGLFLyQ GH FXHQWDV GH VXV LQWHJUD  
 HIHFWLYRV TXH JDUDQWLFHQ OD LJXDOGDG GH RSRUW  
 SHUPDQHQFLD D DOWRV FDUJRV ~~HQDHORVLODWHSDRGHD~~  
 FDSDFLWDFLyQ D IXQFLRQDULRV ~~SPVEMHLERV MREDUHWOR~~ LF  
 MXVWLFLD

3RU ~OWLPR HQ PDWHULD GH ~~LQGHPSOLJDELQDQD~~ ~~QD~~  
 RFDVLRQDGR+ ~~DQRMLDFDGH~~ ODVWUR FRQ 86' GyOD  
 HQ HTXLGDG ~~SDEUDHSDGDXR~~ DLQPDW ~~DULJGD~~ ~~DFQDLRVQFR~~  
 FRQ 86' GyODUHV GLH] PLO HQ HTXLGDG PiV 86'  
 HQ FRQFHWR GH GDxR PDWHULD ~~SRHSDDDDUHLQVGR~~  
 RFDVLRQDGR D ODULDQR 5H[ FRQ 86' GyODUHV C  
 GyODUHV FLQFXHQWD PLO HQ FRQFHWR GH GDx