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Caso Maricruz Hinojosa e Outras Vs. República de Fiscalândia

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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

3,29(6\$1 )OiYLD )\$&+,1 0HOLQD \*LUDUGL 0\$==82/, 9D

Comentários à Convenção Americana sobre Direitos Humanos

3

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

,QWHUDPHULFDQR GH 3URWHFFLYQ3GH ORV 'HUHFKRV +XPDC

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





## CASOS LEGAIS

### CtIDH

Apitz Barbera e outros vs. Venezuela	6 H Q W H Q o D	3
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Tribunal Constitucional (Camba Campos y otros) Vs. Ecuador	6 H Q W H Q o D ( [a2)-1( ( Ba)->30_30 1 100		





ABREVIATURAS

\$UW V	\$UWLJR V
† ††	3DUiJUDIR V
&\$'+	&RQYHQomR \$PHULFDQD VREUH 'LUHLWRV +X
&\$'+3	&RPLVVmR \$IULFDQD GRV 'LUHLWRV +XPDQRV
&'+	&RPLWr GH 'LUHLWRV +XPDQRV GD 218
&('\$:	&RPP Low We Elimination of Discrimination Against Women
&,'+	&RPLVVmR ,QWHUDPHULFDQD GH 'LUHLWRV +X
& +	&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 &RPLD VVLRQ IRU :HVW
(VWDGR RX )LVFDOKQGLD	5HDS-EOGLFD 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(SV0DWDURDQR' 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 DSUHVHQRXQRPD 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 'HFUHWIRL HQWmR H[HFWDGR H QRPHDGRV RV PH  
0DJGDOHQD LQWHUS{V XPD SHWLomR SHUDQWH D &  
\$SHQDV HP IRL HPLWLGD D VHQWHQoD GH PpULW  
SRU 0DJGDOHQD DSYV D QRLQD ofRP 3 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~~ VGRWS  
\$V GLUHWUL]HV SDUD D DYDOLDomR GRV FDQGLGDWRV IRU  
-XQWD DSYV DV LQVFUHLQ]HR GRVD FDSXGLGLW]DGDV

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





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

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

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

§ QRP HDomR GR FKHIH GR 0LQLVWpULR 3~EOLFR p XP  
LPSRUWkQ\$UBIYTHQmDR H SHUVHFXomR SHQDO SRV VXHP SDU  
GRVWDGRJR R PHFDQLVPR XWLLOLJDGR 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 <sup>3</sup>VHJXQG  
DRV FDQGLGDWRV  
(VVD DXVrQFLD GH REMHWLYLGDGH GH FULWpULRV QmR  
SRP

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

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~~ ~~BF~~ ~~D~~ ~~U~~ ~~R~~ ~~D~~ ~~O~~ ~~H~~ ~~O~~ ~~G~~ ~~I~~ ~~R~~ ~~D~~ ~~X~~ ~~D~~  
VX~~E~~HSUHVHQWDomR GH PXOKHUHV LQVFULWDV GDV SRXFD  
GHODV FRPS{V D WHUQD HVFROK~~V~~~~GR~~ ~~S~~ ~~H~~ ~~D~~ ~~Q~~ ~~-~~ ~~W~~ ~~Q~~ ~~W~~ ~~D~~ ~~G~~ ~~H~~ ~~[~~ ~~S~~ ~~R~~ ~~W~~ ~~M~~  
LPSHGLPHQWRV QR DFHVVR GDV PXOKHUHV DRV FDUJRV S~  
KLVWyULFD

(QIDW~~H~~]DDVLP R GHYHU GRV (VWDGRV HP DGRWDU WR  
HOLPLQDU D GLVFULPLQDomR FRQWUDDDQ~~W~~ ~~U~~ ~~D~~ ~~Q~~ ~~W~~ ~~L~~ ~~O~~ ~~K~~ ~~R~~ ~~I~~ ~~S~~ ~~O~~ ~~H~~ ~~Q~~ ~~B~~ ~~M~~ ~~L~~  
VHXV GLUHLWRV SROtWLFRRV HP XPD GHPRFUDFLD SDUWLFL  
HVSH~~M~~~~L~~~~D~~~~S~~~~R~~~~U~~~~S~~~~U~~~~L~~~~Q~~~~D~~ p LPSRUWDQWH IULVDU TXH PHGLGDV  
SUHYLVWDV SDUD R E~~H~~~~Q~~~~I~~~~L~~~~F~~~~R~~~~L~~~~R~~ ~~G~~ ~~H~~ ~~L~~ ~~J~~ ~~R~~ ~~X~~ ~~S~~ ~~H~~ ~~R~~ ~~V~~ ~~F~~ ~~R~~ ~~V~~ ~~S~~ ~~D~~ ~~H~~ ~~W~~ ~~H~~ ~~U~~ ~~D~~ ~~V~~ ~~C~~

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

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

---

SHVVRD RX JUXSR FRP FHUWDV FDUDFWHU t VWLFDV

---



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 GHIWBBDRVSDMLQFHSVLRHVGDSSXEQ  
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 PURIWLDDHGRXHFROQLWIDRQDRGWDPSPRGRH  
GH VXD FDXFRQWUiULR p FULDGR XP FDPSPR 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 QHQKSPDWDHv 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

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



0DULFUX] H 6DQGUD

2.3.4

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\$ &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 GHPRFUiWLF

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

---

FRP LPSDUFLDOLGDGH

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

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

\$ SOLFDQGD DO HQWHQGH THQR XFRQDOR DR GLUHI  
HIHWLYR SUHYLVWR QR DUW GD &RQYHQmR HP SUHM  
LJXDOPHQWH D YtWLPD HVWDYD GHVREULJDGD GH HVJRWD

+i GH WHGDU SRU ILP TXH R SURFHVVR GLVFLSOLQDU I  
GD /HL 2UJKQLFD GR 3RGHU -XGULILURR ŽGD) &SF D QWGLDHC  
R (VSDGRWH GHYH DGRW DU PHGLGDV SDUD TXH R HVWDEHO  
FRSULGR HP VHX RUGH, QVRHQVSD LQDWHWDRE pP R GHYHU GH

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Ibidem.

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

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

3 ( †

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

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

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VLWXDomR LPSRVVtYHO GH VHU UHYHUWLGD SRUTXH DIHW

&XPSUH UHVVDOWDU QHVVD FLUFXQVWkRefid R HQWHC

Trujillo Vs. Venezuela VHJXQGR R TXDO D PHGLGD GH UHVWLWXLomF

5HYHUyQ QmR DIHWDYD R GLUHLWR GR MXL] SURYLVyULR C

D YDOLGDGH GR DWR TXH GHVWLWXLX D MXt]D FRQVWLWxt

PDJLVWUDGR

\$LQGD DVVLP FRPR QR FDVR

---

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 DSRQWYGRXIPRQVpLVH G  
R 6HJXQGR 7ULEXQDO &RQVWLWXFLRQDO GH %HUHQD MXOJ  
VRE R IXQGDPHQWR GH TXH DHQWDPH p oXPRD GR WURWXDUGHG R B  
([HFXWLYR

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

---







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

2XWURVVLP ~~PH~~ ~~XHH~~ ~~TRX~~ (VWDGR DGRWH PHGLGDV LPHGLDWDV  
QRUPDV TXH UHXODP RV SURFHGLPHQWRV GLVFLSOLQDUHV  
H JDUDQWDP D LQGHSHQGrQFLD H LPSDUFLDOLGDGH GR 3R

3RU ILP R (VWDGR G ~~HW~~ ~~RP~~ ~~D~~ ~~H~~ ~~UD~~ ~~V~~ ~~FR~~ ~~GH~~ ~~GD~~ ~~VR~~ ~~OD~~ JLVDWLYD  
XP UHFxUVR MX ~~G~~ ~~IP~~ ~~LD~~ ~~FO~~ ~~H~~ ~~G~~ ~~H~~ ~~V~~ ~~GL~~ ~~Y~~ ~~RL~~ ~~V~~}HV VDQFLRQDWyULDV GH

#### 4. PETITÓRIO

'HVWDUWMH ~~UD~~ ~~TXH~~ ~~FO~~ DUDomR GD UHVSQRVDELOLGDGH LG  
)LVFDOKQLDU \$ ~~R~~ ~~B~~ ~~SO~~ ~~m~~ ~~B~~ RWVXDV REULJDo}HV LQWHUQDFLRQ  
UHODomR DRV DUWV ž H DPERV FRP UHODomR DRV DUW  
DUWV H WRGRV FRP UHODomR DR DUW HP SU  
ž H WRGRV FRP UHODomR DR DUW HP SUHMxt]F  
ODVWUR

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& W, '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  
UHVSRQVDELOLGDGH GH )LVFDOKQGLD SHOD YLRODomR GR  
DV YtWLPDV