

# HUMAN RIGHTS INTEREST GROUP NEWSLETTER

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## Dear colleagues:

Having established the HRIG's newsletter for almost two years in the current format, we hope that it becomes a tool for our group's dissemination and discussion of the most relevant new developments in the field of international human rights law. In this regard, we are pleased to announce that this issue includes a commentary by the founder and president of the Center for the Human Rights of Users and Survivors of Psychiatry, Tina Minkowitz, on the adoption of the groundbreaking *Guidelines on Deinstitutionalization, Including in Emergencies* by the Committee on the Rights of Persons with Disabilities. We invite you to read her valuable insights and get involved in the next issue by sharing your thoughts on human rights developments that you consider relevant.

In addition, the newsletter covers interesting human rights developments that took place during the period of January-March 2023, such as the latest decision of the Committee on the Elimination of Discrimination against Women concerning sexual slavery in the Philippines during World War II, the adoption by the African Commission on Human and Peoples' Rights of Resolution No. 552 regarding the Promotion and Protection of the Rights of Intersex Persons in Africa, and the release of General Comment No. 26 of the Committee on Economic, Social and Cultural Rights on the obligations related to the access to, use of, and control over land. Other decisions included are the Inter-American Court of Human Rights judgment against Colombia for the extermination of members of a political party and an opinion of the Committee on the Elimination of Racial Discrimination on Denmark's failure to effectively investigate and adopt the necessary measures against an art exhibition inciting racial discrimination. This issue also contains at the end a section on employment opportunities in the United Nations in the human rights field, including high-level, mid-level, and entry-level positions. We hope it can be useful for you.

If you have ideas or proposals for the HRIG or would like to share any information that may be relevant for the group (upcoming events, career opportunities, professional accomplishments, among others) please send them to [mhernandez@alvarezmartinezlaw.com](mailto:mhernandez@alvarezmartinezlaw.com) to include them in our next newsletter.

Best regards,

Mariana Hernández  
Co-Chair and Newsletter Editor

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Views contained in this publication are those of the authors in their personal capacity. The American Society of International Law and this Interest Group do not generally take positions on substantive issues, including those addressed in this periodical.

## I. UNIVERSAL HUMAN RIGHTS SYSTEM

### 1. Committee on the Rights of Persons with Disabilities (CRPD)

#### • The CRPD adopted Guidelines on Deinstitutionalization, Including in Emergencies

Commentary by Tina Minkowitz<sup>1</sup>

The *Guidelines on deinstitutionalization, including in emergencies* adopted by the Committee on the Rights of Persons with Disabilities in September 2022<sup>2</sup> break new ground in its comprehensiveness and its reparative justice approach, which treat institutionalization as a large-scale human rights violation for which there is no justification,<sup>3</sup> and for which reparations are due to survivors.<sup>4</sup> Building on earlier general comments and guidelines, the Committee responded to needs highlighted in the COVID-19 pandemic and gathered contributions from over 500 persons with disabilities in online regional consultations.<sup>5</sup>

The Guidelines state unequivocally, ‘All persons with disabilities have the right to live in the community, and deciding that some people cannot live independently and should stay in institutions is discriminatory.’<sup>6</sup> This applies to all forms and settings of disability-based institutionalization,<sup>7</sup>

which include social care institutions, psychiatric institutions, long-stay hospitals, nursing homes, alongside others less commonly understood as problematic: ‘secure dementia wards, special boarding schools, rehabilitation centres other than community-based, half-way homes, group homes, family-type homes for children, sheltered or protected living homes, forensic psychiatric settings, transit homes, albinism hostels, leprosy colonies and other congregate settings,’ and any ‘mental health settings where a person can be deprived of their liberty’<sup>8</sup> for any period of time.<sup>9</sup> It should be noted that, for children with disabilities, institutionalization is any placement other than a family setting.<sup>10</sup>

Putting a further gloss on the obligation to end mental health detention, the Guidelines indicate that ‘persons ... experiencing individual crises should never be subjected to institutionalization. Individual crisis should not be treated as a medical problem requiring treatment or as a social problem requiring state intervention.’<sup>11</sup>

Regarding the duties of States parties to the Convention on the Rights of Persons with Disabilities, the Guidelines call for investment into support networks including peer support, organizations of survivors of institutionalization, and centers for independent living.<sup>12</sup> States should ‘ensure communities and families are trained and supported to provide support that is respectful of the choices, will and preferences of persons with disabilities.’<sup>13</sup> Also, States must develop support services that fully respect the will and preferences of persons with disabilities.<sup>14</sup>

In implementing support services, ‘A person-centred process should be used in identifying the

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<sup>1</sup> Tina Minkowitz is the founder and president of the Center for the Human Rights of Users and Survivors of Psychiatry. She has contributed to the Convention on the Rights of Persons with Disabilities drafting and negotiation and subsequent normative development, and written and presented widely on issues of legal capacity, liberty, and respect for the integrity of persons with disabilities, including the 2021 book *Reimagining Crisis Support: Matrix, Roadmap and Policy*. She served as an external reviewer for the Global Coalition on Deinstitutionalization, which supported the Committee on the Rights of Persons with Disabilities in producing the *Guidelines on Deinstitutionalization*.

<sup>2</sup> *Guidelines on Deinstitutionalization, Including in Emergencies*, UN Doc C/CRPD/27/3 (9 September 2022).

<sup>3</sup> DI Guidelines, paras 4-13.

<sup>4</sup> DI Guidelines, paras 115-123, 135; see also paras 94, 95, and references to survivors throughout.

<sup>5</sup> DI Guidelines, paras 1-3.

<sup>6</sup> DI Guidelines, para 37.

<sup>7</sup> DI Guidelines, para 16.

<sup>8</sup> DI Guidelines, para 15.

<sup>9</sup> DI Guidelines, para 17.

<sup>10</sup> DI Guidelines, para 43, and generally paras 43-51.

<sup>11</sup> DI Guidelines, para 11, and generally paras 14-18.

<sup>12</sup> DI Guidelines, para 70.

<sup>13</sup> DI Guidelines, para 71.

<sup>14</sup> DI Guidelines, paras 75-82; see also paras 22-28 and 83-85.



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range of support that a person may need to live independently and be included in the community, including by prioritising self-assessment tools’ and not basing needs assessment ‘exclusively or mainly on medical criteria.’<sup>15</sup> Options must be made available ‘outside the health-care system, that fully respect the individual’s self-knowledge, will and preferences, . . . as primary services without the need for mental health diagnosis or treatment.’<sup>16</sup> Funding of any support services should follow demand rather than supply.<sup>17</sup>

Furthermore, the Guidelines highlight the right of people in institutions to leave at any time,<sup>18</sup> to be provided with emergency assistance in doing so,<sup>19</sup> and to be involved in customized planning, if they so wish, enabling them to leave.<sup>20</sup> Such planning must ‘respect them as decision-makers, with support if required, in all aspects of leaving the institution’ and provide them with all relevant information and opportunities necessary to ensure an adequate standard of living and gain experience and confidence.<sup>21</sup>

Moreover, the Guidelines state that mainstream services in all areas of life must be made fully accessible without discrimination and without being ‘conditioned by, withheld or denied on the basis of assessments, family or social support, medication compliance, any determination of “severity” of disability or perceived intensity of support requirements, any finding of a “mental health condition”, or any other disqualifiers.’<sup>22</sup>

Additional sections of the Guidelines address intersectionality, including structural racism,<sup>23</sup> women and girls with disabilities,<sup>24</sup> older persons with disabilities,<sup>25</sup> enabling legal and policy frameworks,<sup>26</sup> and the creation of a deinstitutionalization plan in consultation with persons with disabilities, particularly survivors of institutionalization,<sup>27</sup> after mapping and analyzing the current situation and needs.<sup>28</sup> Also addressed are situations of risk and humanitarian emergencies,<sup>29</sup> data collection,<sup>30</sup> monitoring of deinstitutionalization,<sup>31</sup> and international cooperation.<sup>32</sup>

The Guidelines represent an ambitious undertaking to set standards that respond to the demands of people with diverse disabilities to be accommodated and welcomed throughout society with the freedom to be themselves without having to fear discriminatory detention and segregation. These standards, like the Convention itself, combine civil and political dimensions of rights with economic, social, and cultural dimensions, and challenge states both to find the necessary resources for equality and to relinquish the power of discriminatory detention. The document is complex and multifaceted and will require efforts by human rights defenders for self-education and strategizing about how to achieve these aims that are essential to an inclusive world. The Guidelines on Deinstitutionalization, Including in Emergencies, can be found [here](#).

15 DI Guidelines, para 75.

16 DI Guidelines, para 76.

17 DI Guidelines, para 78.

18 DI Guidelines, paras 13, 93, 126.

19 DI Guidelines, para 58.

20 DI Guidelines, para 93, and generally paras 93-98 on preparations for leaving institution; see also paras 19-31, 37-38, and 90-92 on overall policy guiding deinstitutionalization.

21 DI Guidelines, para 95.

22 DI Guidelines, para 90; see also paras 32-33, 86-89 and 99-106.

23 DI Guidelines, paras 39-41; reference to structural racism is in para 41.

24 DI Guidelines, para 42.

25 DI Guidelines, para 52.

26 DI Guidelines, para 59 for non-discrimination; otherwise paras 54-58.

27 DI Guidelines, paras 67-68; see also paras 34-36.

28 DI Guidelines, paras 60-66.

29 DI Guidelines, paras 107-114.

30 DI Guidelines, paras 124-128.

31 DI Guidelines, paras 129-137.

32 DI Guidelines, paras 138-143.



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### 2. Committee on the Elimination of Discrimination against Women (CEDAW)

- **On March 8, 2023, the CEDAW found that by failing to provide reparations, social support, and recognition, the Philippines violated the rights of women victims of sexual slavery perpetrated by the Japanese Imperial Army during World War II.** From 1932 to 1945, the Japanese Imperial Army enslaved hundreds of civilians and prisoners of war in institutionalized facilities in Japanese-occupied territories, with approximately 100,000 women subjected to sexual slavery. The victims in the case before the CEDAW, 24 Filipina nationals, were forced to submit to this sexual slavery system on November 23, 1944, when Japanese troops occupied the Mapaniqui district in Pampanga province. The victims were held in the “Bahay na Pula” (Red House), a former hacienda in the Philippines, for between one day and 3 weeks, during which time they were raped, tortured, and subjected to inhumane conditions of detention. As a consequence, they suffered various physical, mental, and emotional harms, such as post-traumatic stress, permanent damage to their reproductive capacity, and negative effects on their social relationships.

Years later, in 1956, the Philippines ratified the Treaty of Peace with Japan of 1951, which included a waiver on all claims arising from any actions committed by the Imperial Japanese Army during World War II. Later, in July 1995, the Government of Japan established the Asian Women’s Fund to provide compensation to survivors of the Japanese wartime sexual slavery system, however, this was not accompanied by an acknowledgment of responsibility. Therefore, since 1998 to date the victims have approached the Government of the Philippines to request support for their claims against Japan. The Government’s response has consistently been that it cannot claim compensation from Japan given the ratification of the Treaty of Peace, which is why in 2019 the victims brought the case before the CEDAW alleging this failure to support their claims constitutes ongoing discrimination.

On admissibility issues, the CEDAW considered that it was not precluded *ratione temporis* from con-

sidering the claims because, since 2003, when the Optional Protocol entered into force for the Philippines, the State acquired the obligation to give recognition and effective remedies to promptly redress the continuous discrimination to which the victims were subjected to.

On the merits, the CEDAW noted that, despite the waiver on the right to compensation by the Treaty of Peace, the main Philippine government body charged with monitoring compliance with international obligations affecting women had not addressed the sexual slavery system during World War II, nor provided support for the victims. In contrast, “Philippine war veterans, who are predominantly male, benefit from State-sanctioned special and esteemed treatment, including educational benefits, health-care benefits, old age, disability and death pensions, and burial assistance”. Therefore, the CEDAW concluded that the State party breached its obligations under Articles 1 (prohibition of discrimination) and 2 b) (adoption of measures prohibiting discrimination), and c) (establishment of the legal protection of the rights of women) of the Convention, given the severity of the acts of gender-based violence and the discrimination against the victims to obtain restitution, compensation, and rehabilitation. The decision can be found [here](#) and the press release [here](#).

### 3. Committee on the Elimination of Racial Discrimination (CERD)

- **On February 7, 2023, the CERD found Denmark responsible for failing to effectively investigate and adopt the necessary measures against an art exhibition inciting racial discrimination in the Momodou Jallow case.** The facts of the case began on October 23, 2014, when Swedish artist D.P. held a controversial exhibition of pictures in Copenhagen. The pictures exhibited included an image of the author of the communication, Momodou Jallow, in which he is hung by the neck from a bridge, along with two other black persons, with the text: “Hang on, Afrofobians”, and an image of the author, in which he appears as a slave who runs away from his owner, with the text: “Our negro

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slave has run away”, together with three other pictures of the same nature. For creating and displaying such images, D.P. was convicted in Sweden of defamation and incitement to hatred against an ethnic group. Later, in 2014, the author filed a complaint against D.P. and others, alleging that the art exhibitions represented a crime of racial discrimination. Although initially the investigation was not continued, it was later decided that each piece of art should be seen as a satirical contribution to the social debate about racism and the limits of the freedom of expression.

The author alleged that the State party violated his rights under Articles 4 a) (obligation to declare an offense punishable by law all dissemination of ideas based on racial superiority) and c) (obligation to prohibit public authorities or public institutions, national or local, to promote or incite racial discrimination) of the International Convention on the Elimination of All Forms of Racial Discrimination, by allowing the exhibitions to take place and by refusing to prosecute the organizers. According to CERD, Article 4 (a) of the Convention applies to speech and other forms of expression that amount to the dissemination of ideas based on racial or ethnic superiority or hatred, incitement to hatred, among others. In this sense, the CERD found that the five pictures fell within the scope of Article 4 (a) of the Convention, due to the racist depictions and works that expressed ideas of racial superiority. Based on its decision regarding Article 4 (a) of the Convention, the CERD found it unnecessary to examine the author's allegations about a possible violation of Article 4 (c) of the Convention. The decision can be found [here](#) and the press release [here](#).

### 4. Committee on Economic, Social and Cultural Rights (CESCR)

- **On January 24, 2023, the CESCR released General Comment No. 26 on the obligations related to access to, use of, and control over land.** The General Comment understands that land is essential for the realization of several rights set out in the International Covenant on Economic, Social and Cultural Rights and that its equitable use

and access are capable of eradicating hunger and poverty as well as ensuring an adequate means of living. According to the CESCR, current land use is not leading to the realization of the rights foreseen in the Covenant, the biggest problems being, among others, the increased competition for access to and control over land, and land degradation. To this end, the CESCR reminded States of their main obligations under the Covenant, specifically regarding non-discrimination, equality, and groups or persons requiring particular attention (such as women, indigenous people, and people living in rural areas); participation, consultation, and transparency; and specific obligations of States, such as the obligations to respect and protect. In addition, the CESCR noted the existence of extraterritorial obligations, which include the obligation to respect, protect and fulfill. Concerning the extraterritorial obligation to respect, the CESCR noted that it requires States to refrain from actions that interfere with the enjoyment of the rights under the Covenant in land-related situations outside their territories. On the other hand, concerning the extraterritorial obligation to protect, the CESCR emphasized that it translates into the obligation of States to provide regulatory mechanisms to guarantee that business entities, including transnational corporations, and other non-State actors that are in a position to regulate do not obstruct the exercise of the rights contained in the Covenant in land-related settings in other countries.

In its last section, the General Comment introduced specific issues of relevance to the implementation of rights enshrined in the Covenant in land-related contexts, such as internal armed conflicts and post-conflict situations, corruption, human rights defenders, and climate change. The CESCR also reminded the need for implementation and remedies related to the subject, including the obligation of States parties to ensure that individuals and groups can receive and impart information relevant to the employment of land-related rights under the Covenant. General Comment No. 26 can be found [here](#) and the press release [here](#).

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## II. AFRICAN HUMAN RIGHTS SYSTEM

### 1. African Commission on Human and Peoples' Rights (ACHPR)

- **On March 21, 2023, the ACHPR released groundbreaking Resolution No. 552 regarding the Promotion and Protection of the Rights of Intersex Persons in Africa.** The ACHPR recalled that intersex persons are those who are born with chromosomal and reproductive or anatomical characteristics that do not appear to fit the typical definitions of male and female. Due to its particular concern about the situation of intersex persons in Africa, and noting that most countries on the continent do not have adequate legislative, judicial, and other measures in place to guarantee and protect the rights of intersex persons, the ACHPR issued the resolution to contribute to the improvement and realization of the human rights of intersex persons. In this sense, the ACHPR urged States to end human rights violations against intersex persons, such as infanticide and abandonment of intersex children; to stop non-consensual genital normalization practices on intersex persons; to prohibit discrimination based on intersex traits and characteristics or intersex status; and to ensure intersex people's right to full information, including access to their medical records and history. Additionally, the ACHPR called on States to raise awareness of intersex issues and the rights of intersex persons in society and to ensure that intersex human rights defenders work in an environment free from stigmatization, retaliation, or criminal prosecution because of their human rights activism, among others.

The ACHPR strongly emphasized that States Parties to the African Charter must recognize the rights, duties, and freedoms guaranteed by the African Charter to intersex persons by adopting legislative or other measures to implement them, without discrimination. Resolution No. 552 can be found [here](#).

### 2. African Court on Human and Peoples Rights (ACtHPR)

- **On February 22, 2023, the ACtHPR published, along with the ACHPR and the African Com-**

**mittee of Experts on the Rights and Welfare of the Child, the African Human Rights Yearbook regarding 2022.** The document is divided into three chapters. The first chapter consists of articles focusing on aspects of the African Human Rights System and African Union human rights standards, and includes articles such as "The prohibition and repression of torture in the African human rights system: utopia or bad faith on the part of States?". The second chapter is focused on the African Union's theme for 2022: "Strengthening resilience in nutrition and food security on the African Continent: strengthening agro-food systems, health, and social protection systems for the acceleration of human, social and economic capital development". This chapter especially deals with three very relevant issues, one of them being the issue of poverty policies, and politics in relation to food security rights in Africa. Finally, the third chapter is devoted to case commentaries. Among the cases commented on are *Léon Mugesera v. Rwanda*, *Anudo Ochieng Anudo v. Tanzania*, and *Baleni and Others v. Minister of Mineral Resources and Others*. According to the ACtHPR, the Yearbook aims to disseminate studies on the promotion and protection of human rights and to engage with academics and other human rights experts on the continent by providing a forum. The African Human Rights Yearbook and the press release can be found [here](#).

## III. EUROPEAN HUMAN RIGHTS SYSTEM

### 1. European Court of Human Rights (ECtHR)

- **On March 7, 2023, the ECtHR found that Russia violated the right to freedom of religion and the prohibition of discrimination for the application of new legislation restricting missionary work.** The applicant, Donald Jay Ossewaarde, is a national of the United States of America and lived in Oryol, Russia, with a permanent residence permit. Since the applicant and his wife moved to Russia in 2005, they had been holding Bible study meetings under their Christian Baptist religion. Due to new legislation related to missionary work, three police officers entered the couple's home in 2016 during

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a Saturday meeting, and after the Bible study, the officers took the statements of all those attending and then proceeded to escort Mr. Ossewaarde to the police station. Upon arriving at the police station, he was presented with an accusation that he was posting evangelical leaflets at the entrance of a building. As a result, the police made an administrative offense report for unlawfully conducting missionary work as a foreigner. After being heard in court, he was convicted of conducting missionary work without informing the authorities of the establishment of a religious group and was ordered to pay 400,000 roubles (about USD 5,200). The author alleged before the ECtHR a violation of Article 9 (freedom of religion) and Article 14 (prohibition of discrimination), indicating that he had been exercising his right to spread his religious convictions.

The ECtHR noted that missionary work is known as the imparting of information about a particular set of beliefs to others who do not hold those beliefs and that it is protected under Article 9. In this particular case, the ECtHR found that there had been a violation of Article 9 because i) there was no evidence that Mr. Ossewaarde obliged anyone to participate in his religious meetings; ii) the new requirements of the legislation left no room for people engaged in individual evangelism such as the applicant; and iii) sanctioning the applicant for his alleged failure to inform the authorities was not necessary for a democratic society. The ECtHR decided that there had also been a violation of Article 14, considering that under the Code of Administrative Offences, the minimum fine for a non-national found guilty of an offense of illegal missionary work was six times higher than for a Russian, which is why there was an evident difference in treatment of persons in an analogous situation due to their nationality. The judgment can be found [here](#) and the press release [here](#).

- **On February 14, 2023, the ECtHR published its latest factsheet “Whistle-blowers and freedom to impart and to receive information”.** According to the ECtHR, the concept of “whistle-blower” does not have an unequivocal legal definition, but it generally refers to a person who reports, to public opinion or the authorities, an illicit act

committed in an organization or company. The factsheet includes several decisions of the ECHR regarding the protection and situation enjoyed by whistle-blowers under Article 10 (right to freedom of expression). One of the issues addressed in the factsheet is the *Halet v. Luxembourg* case (2023), which discussed whether and, if so, to what extent, a person who discloses confidential information acquired in the context of an employment relationship could rely on the protection of Article 10 of the ECHR. To determine an appropriate response, the ECtHR defined the following criteria to determine the reliance on Article 10 in each specific case: i) the channels used to make the disclosure; ii) the authenticity of the disclosed information; iii) good faith; iv) the public interest in the disclosed information; v) the detriment caused; and vi) the severity of the sanction. In addition, there are several cases mentioned in the factsheet, most of them concerning employees who have been fired and have made allegations about their employers and/or companies, such as the cases *Bathelier v. France*, *Heinisch v. Germany* and *Langner v. Germany*, and in all three cases, all employees alleged a violation of their right to freedom of expression. The factsheet can be found [here](#).

## IV. INTER-AMERICAN HUMAN RIGHTS SYSTEM

### 1. Inter-American Commission on Human Rights (IACHR)

- **On January 5, 2023, fifteen years after the previous report, the IACHR released its latest report concerning the situation of human rights in Haiti.** The report, which is the first one published in Haiti’s *Kreyòl* language, addresses a series of highly relevant issues, such as institutional democracy in the country, citizen security, economic, social, cultural, and environmental rights in Haiti, freedom of expression, and human mobility. The document’s time frame is between 2018 and June 2022, a period in which the situation of citizen insecurity and democratic instability has worsened in a context characterized by serious socioeconomic conditions

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that rank Haiti as the poorest country in the Americas. The IACHR highlighted two interconnected cycles that characterize, in its view, the institutional and political dynamics in the country. The first cycle, dating between 2018 and the middle of 2021, was marked by the growth of social protests motivated by economic, social, and political discontent. The second cycle began on July 7, 2021, with the murder of President Jovenel Moïse.

In its recommendations, the IACHR highlighted the need to adopt the necessary measures to stabilize the functioning of institutions through free and fair elections with a clear electoral calendar and rules, genuine and inclusive dialogue with all necessary stakeholders, and the establishment of normative measures and agreements that delimit the areas of action of each branch of the State. The IACHR also recommended that the State designs and implements public policies focused on human rights, and in particular, fiscal policies that respond to the objectives of wealth redistribution for a reduction of inequality gaps, and correction of market deficiencies, among others. Furthermore, the IACHR made several recommendations to the State, dealing with a wide range of issues. The report (in Spanish) can be found [here](#) and the press release [here](#).

### 2. Inter-American Court of Human Rights (IACtHR)

- **On January 30, 2023, the IACtHR found Colombia internationally responsible for the extermination of the political party “Patriotic Union” (UP) and for the human rights violations committed to the detriment of more than 6,000 victims who were members of the party.** In 1985 the UP was constituted as a political organization, after a peace process between the National Secretariat of the Revolutionary Armed Forces of Colombia (FARC) and the government. As a consequence of its rapid rise in national politics, an alliance arose between paramilitary groups, sectors of traditional politics, the security forces, and business groups, to counteract the rise of the UP in the political arena. From then on, acts of violence against UP members, sympathizers, and militants began

and lasted for more than two decades. The violence was manifested through enforced disappearances, massacres, extrajudicial executions, threats, attacks, many acts of stigmatization, prosecutions, torture, and forced displacements, among others, that constituted a form of systematic extermination against the UP, its members, and militants, and was carried out with the participation of State agents, as well as with the tolerance and acquiescence of the authorities.

The IACtHR found that political rights were violated in relation to personal integrity (Article 5), freedom of thought and expression (Article 13), and freedom of association (Article 16). In particular, the IACtHR stated, among others, that the physical and psychological integrity of the members and militants of the UP were affected by the stigmatization created by their membership in that political group and that the actions and omissions in the duty of protection by the State created a climate of victimization and stigma against the members and militants of the UP. It was also determined that the rights to juridical personality, life, personal integrity, personal liberty, freedom of movement and residence, the rights of the child, and the rights enshrined in the Inter-American Convention on Forced Disappearance of Persons were also violated by the executions, disappearances, torture, arbitrary detentions, threats, harassment and displacement of members and militants of the UP. Additionally, the IACtHR found that the right to honor and dignity was violated due to statements made by public officials, which had content that caused an intimidating effect on the members of the UP, making their participation in democracy an obstacle. Lastly, the IACtHR concluded that the State violated the rights to judicial guarantees, to judicial protection and the duty to investigate acts of torture. The decision (in Spanish) can be found [here](#) and the press release [here](#). ■





## INFORMATION ON EMPLOYMENT OPPORTUNITIES

This section of the newsletter presents a list of some open human rights positions at the United Nations that may be of interest to you. For practical purposes, we divide the open positions into two categories: 1) high-level positions requiring nomination by a State; 2) and 3) mid-

level and entry-level positions. It should be noted that neither the HRIG nor ASIL is part of the election process for these positions, and therefore their listing is for informational purposes only.



### 1. High-level positions requiring nomination by a State

This category lists the upcoming elections for members of treaty bodies within the United Nations System. These are honorary and part-time positions. When the term of office of one or more of the members of these bodies is about to expire, the Secretary-General sends a note verbale to the States Parties to the respective treaty, inviting them to

submit their nominations by note verbale by a specified deadline. Thus, to apply for one of these positions, it is necessary to be nominated by a State party to the respective treaty. After States submit their nominations, their representatives meet in a scheduled session to vote and elect the new members.

Position available	Positions available	Elections	Nomination	Website with more information
Member of the Committee Against Torture	5	It will be held on 2023, not yet scheduled.	Not yet available.	When available it will be published here: <a href="https://www.ohchr.org/en/treaty-bodies/cat/meetings-states-parties-elections">https://www.ohchr.org/en/treaty-bodies/cat/meetings-states-parties-elections</a>

### 2. Mid-level and entry-level positions

This category presents a list of some positions available at the United Nations, which do not relate to membership as experts in treaty bodies or the Special Procedures

of the Human Rights Council, but are related to human rights issues. The application for these positions is conducted freely and online.

Position available	Department	Functions	Application deadline	Website with more information
Human Rights Representative Category: P5	Office of the High Commissioner for Human Rights	Follow human rights developments in the region, with a view to providing the High Commissioner with advice on human rights situations in countries of the region and alerts the High Commissioner through the Africa Branch to any early-warning signs of serious human rights crises in the region in order for him/her to take appropriate action within his/her mandate, among others.	04/21/2023	<a href="https://careers.un.org/lbw/jobdetail.aspx?id=203541&amp;Lang=en-US">https://careers.un.org/lbw/jobdetail.aspx?id=203541&amp;Lang=en-US</a>



**Information on Some Open Human Rights Positions at the United Nations** —continued from page 9

<b>Position available</b>	<b>Department</b>	<b>Functions</b>	<b>Application deadline</b>	<b>Website with more information</b>
Human Rights Officer Category: P4	Office of the High Commissioner for Human Rights	Review, monitor, and evaluate activities relating to the implementation of international human rights instruments, including recommendations of treaty bodies and mechanisms of the Human Rights Council.	04/30/2023	<a href="https://careers.un.org/lbw/jobdetail.aspx?id=204110&amp;Lang=en-US">https://careers.un.org/lbw/jobdetail.aspx?id=204110&amp;Lang=en-US</a>
Humanitarian Affairs Officer Category: P3	Office for the Coordination of Humanitarian Affairs	Organizes and prepares studies on humanitarian, emergency relief and related issues; organizes follow-up work, including inter-agency technical review meetings to support policy development work and decision-making on important issues, among others.	04/19/2023	<a href="https://careers.un.org/lbw/jobdetail.aspx?id=197856&amp;Lang=en-US">https://careers.un.org/lbw/jobdetail.aspx?id=197856&amp;Lang=en-US</a>