

# HUMAN RIGHTS

## INTEREST GROUP NEWSLETTER

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Dear colleagues,

We are delighted to present the latest Human Rights Interest Group (HRIG) newsletter edition.

This issue features a guest editorial by Ayani Srivastava presenting a commentary on the decisions of the UN Human Rights Committee on forced motherhood cases against Ecuador and Nicaragua. 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, in our traditional sections, you will find the most relevant events and debates that took place over the last few months, such as the statement of the Office of the High Commissioner for Human Rights on restrictions on political rights in Mali; a decision of the Human Rights Committee holding Kyrgyzstan internationally responsible for violating the rights of a lawyer and a journalist prosecuted for criticizing a former president; Resolution No. 634 of the African Commission on Human and Peoples' Rights on extractive industries and the elimination of all forms of exploitation in international economic relations in Africa; the announcement by the African Court on Human and Peoples' Rights of the election of its new President and Vice President; a judgment of the European Court of Human Rights finding France responsible for failing to protect three girls who alleged being raped; the report of the IACHR's Special Rapporteur for Freedom of Expression on the alarming state of press freedom in Haiti; and the presentation of the Annual Report 2024 by the Inter-American Court of Human Rights, marking the institution's 45th anniversary. Furthermore, this issue contains a section on employment opportunities in the human rights field in the United Nations.

We hope you enjoy reading this newsletter as much as we enjoyed writing it. We trust in the importance of keeping up with these contributions that stimulate the dissemination of current human rights issues, and that reinforce the relevance of international human rights law for each of us.

If you have ideas or suggestions for the HRIG or would like to share any information relevant to the group, such as new publications, upcoming events, career opportunities, professional accomplishments, and more, please send them to [ecurcio@alvarezmartinezlaw.com](mailto:ecurcio@alvarezmartinezlaw.com) to be included in our next newsletter.

Best regards,

Ezequiel Curcio  
Newsletter Editor

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## I. GUEST EDITORIAL

### UN Human Rights Committee Issues Decisions on Forced Motherhood Cases in Ecuador and Nicaragua

Commentary by Ayani Srivastava<sup>1</sup>

On January 20, 2025, the United Nations Human Rights Committee (HRC) issued three decisions finding that Ecuador and Nicaragua violated the International Covenant on Civil and Political Rights (ICCPR) through systemic failures to protect adolescent girls from forced motherhood following sexual violence.

In *Norma v. Ecuador*, the HRC determined that Ecuador violated multiple ICCPR articles in the case of a 13-year-old girl impregnated through paternal rape.<sup>2</sup> The HRC found that requiring the victim to continue the pregnancy resulted in physical health complications and psychological suffering amounting to cruel, inhuman, or degrading treatment under Article 7. Despite domestic provisions permitting therapeutic abortion, authorities failed to provide accurate information about procedural options while emphasizing the biological father's parental rights over the victim's welfare. The HRC concluded that Ecuador's failure to provide timely abortion access violated Articles 6 (right to life), 19 (access to information), and 24 (child protections), noting that forced pregnancy continuation after incestuous rape constituted inhuman treatment under Article 7.

In *Susana v. Nicaragua*, the HRC identified violations of Articles 6, 7, 17, and 19 of the ICCPR in the case of a 13-year-old girl who became pregnant as a result of prolonged sexual abuse by her grandfather, a member of an armed

group controlling their rural community.<sup>3</sup> Medical personnel denied her pain management during delivery and engaged in verbal harassment, which the HRC characterized as "obstetric violence." Authorities failed to investigate multiple complaints filed by the victim's grandmother or provide protection from ongoing threats, with the perpetrator evading accountability due to institutional inaction. The HRC determined that Nicaragua's absolute abortion ban disproportionately harmed sexual violence survivors, violating their rights to life, freedom from torture, privacy, and health information access under the ICCPR.

In *Lucía v. Nicaragua*, involving a 13-year-old impregnated by a priest, the HRC found that Nicaragua violated Articles 6, 7, 17, and 19 of the ICCPR by denying abortion access.<sup>4</sup> Medical staff denied anesthesia during delivery and made derogatory comments about the victim's character, which the HRC described as gender-based mistreatment. Authorities declined to pursue charges against the perpetrator despite formal complaints, while the victim experienced community stigmatization and security threats.

As part of its decisions, the HRC ordered Ecuador and Nicaragua to provide full reparations to the petitioners, including financial compensation and psychosocial support. Both states were directed to reform their legal frameworks to ensure access to reproductive healthcare for survivors of sexual violence and implement training programs for healthcare providers and judicial actors on handling such cases. The decisions affirm that forcing rape survivors into motherhood is a systematic violation of the ICCPR's fundamental principles, including the prohibition against torture. By anchoring reproductive autonomy to human dignity, the HRC has set a transformative precedent for advancing reproductive justice globally.

<sup>1</sup> Ayani Srivastava is an LL.M. graduate from Columbia Law School (2025), with experience at UN Women, the UN Special Procedures, and the CEDAW Committee. Her work focuses on international human rights law and gender justice.

<sup>2</sup> Human Rights Committee. Communication N. 3628/2019. *Norma v. Ecuador*. CCPR/C/142/D/3628/2019. June 20, 2025.

<sup>3</sup> Human Rights Committee. Communication N. 3626/2019. *Susana v. Nicaragua*. CCPR/C/142/D/3626/2019. June 4, 2025.

<sup>4</sup> Human Rights Committee. Communication N. 3627/2019. *Lucía v. Nicaragua*. CCPR/C/142/D/3627/2019. April 25, 2025.



## II. UNIVERSAL HUMAN RIGHTS SYSTEM

### 1. Office of the High Commissioner for Human Rights (OHCHR)

- **On May 16, 2025, the OHCHR warned that restrictions on political rights are further aggravating the already fragile human rights situation in Mali.** Just days earlier, on May 13, 2025, Transitional President Assimi Goïta signed a decree dissolving all political parties and organizations “of a political nature,” repealing the previous legislation that had governed and protected political parties hitherto. Goïta, a military leader, took office as Interim President on June 7, 2021, following successive *coups d’état* in 2020 and 2021.

The decree has fueled opposition protests. Reports indicate that at least three members of the opposition were arrested and remain missing, raising fears of a recurring pattern of enforced disappearances dating back to 2021. Türk urged the transitional authorities “to release those who have been arrested on politically motivated grounds and to fully restore political rights in the country.” The OHCHR has also expressed concern over the repeated extension of Mali’s transitional period. Having remained in power since 2020, the transitional authorities—according to Türk—should now prioritize holding credible elections without delay to ensure that Malian citizens are able to fully exercise their political rights under international human rights law.

These setbacks come amid a broader national crisis. Following the withdrawal of the United Nations Multidimensional Integrated Stabilisation Mission in Mali in December 2023, the number of documented human rights violations rose by 120% between 2023 and 2024. Armed groups such as the “Islamic State – Sahel Province,” along with other armed factions and unidentified individuals, continue to carry out attacks against civilians, including killings and gender-based violence, such as rape and forced marriage. Credible sources further indicate that members of the Malian Armed Forces have also committed killings.

In this regard, the OHCHR urged the Malian authorities to conduct timely investigations and

punish those found responsible, with a view to ensuring victims’ rights to truth, justice, and reparations. The press release can be found [here](#).

### 2. Human Rights Committee (HRC)

- **On May 26, 2025, the HRC found that Kyrgyzstan violated the fundamental rights of a lawyer and a journalist who faced prosecution for criticizing former President Almazbek Atambaev.** The case was brought by Cholpon Djakupova, a lawyer and former member of the Kyrgyz parliament, and Narynbek Idinov, a journalist and co-founder of the *Zanoza* news portal—both well-known civil activists with a longstanding commitment to human rights.

Since 2016, the Kyrgyz authorities have increased pressure on freedom of expression, launching investigations into social media content critical of Atambaev. In March 2017, the Prosecutor General filed four lawsuits on behalf of the President under legislation protecting his “honor and dignity,” targeting journalists, human rights defenders, and media outlets. Ms. Djakupova, serving as legal director of the NGO *Adilet*, decided to represent the defendants in these cases.

On March 30, 2017, the Ombudsman convened a roundtable on freedom of assembly and speech, aimed at fostering dialogue between civil society and public authorities. During the event, Ms. Djakupova delivered a speech sharply criticizing the President and the government for interfering with freedom of expression. That same day, Mr. Idinov published her remarks in *Zanoza*. Consequently, in April 2017, both were sued for “moral damages” of 3 million Kyrgyz soms (approximately 34,000 dollars) each—an unprecedented sum in the country’s history. The authors were prohibited from leaving the country, their bank accounts were frozen, and the authorities seized Ms. Djakupova’s house, which is currently subject to sale proceedings. The domestic courts ruled that Ms. Djakupova’s speech defamed the President, ordered her article to be deleted, and upheld the exorbitant compensation. Repeated appeals by the authors were all dismissed.

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In its decision, the HRC held that Kyrgyzstan had violated Article 19(2) (right to freedom of expression) of the International Covenant on Civil and Political Rights (ICCPR). While the restrictions were grounded in law (the Law on the Guarantees of Activities of the President of Kyrgyzstan and the Kyrgyz Civil Code), the Committee concluded they were neither necessary nor proportionate. It recalled that all public officials, including those holding the highest positions, must tolerate criticism and political opposition,

and underscored that a free, uncensored press—including digital platforms—is a cornerstone of democratic societies. The HRC further found a violation of Article 12(3) (right to freedom of movement) of the ICCPR, stressing that the State had failed to justify the travel restrictions imposed on the authors. It noted that less intrusive judicial mechanisms existed to ensure their attendance at hearings—which they had, in fact, never missed nor delayed. The decision can be found [here](#) and the press release [here](#). ■

## III. AFRICAN HUMAN RIGHTS SYSTEM

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

- **On June 3, 2025, the ACHPR adopted its landmark Resolution No. 634 on extractive industries and the elimination of all forms of exploitation in international economic relations in Africa.** The ACHPR grounded the resolution in key provisions of the African Charter on Human and Peoples' Rights, including Article 21 (right of peoples to freely dispose of wealth and natural resources), Article 22 (right to social, economic, and cultural development), and Article 24 (right to a satisfactory environment). In particular, the Commission cited Article 21(5), which obliges States Parties to eliminate all forms of foreign exploitation in order to establish equitable economic relations, foster social and economic development, and promote the well-being of the continent's peoples.

The ACHPR highlighted deep concern over the misallocation of Africa's natural resources, pointing to the massive loss of public funds through illicit financial flows and legal loopholes exploited by multinational corporations, especially in the extractive sector. It also noted that the exclusion of national courts' jurisdiction concerning foreign investments has exacerbated financial losses, as States are forced to make out-of-court settlements or pay costly

arbitration awards. These outcomes, according to the ACHPR, stem from structural inequalities and power asymmetries in African States' relationships with foreign investors. The ACHPR further underscored the human rights consequences of these practices. The exorbitant cost of access to development finance—with disproportionately high interest rates often imposed on African States—perpetuates cycles of debt and diverts scarce revenues away from essential social services.

In response, the ACHPR reaffirmed the urgent need for effective regulatory frameworks at the national, regional, and international levels to guarantee transparent and fair taxation systems that can sustain fundamental rights and meet socio-economic needs. It called on States to review domestic laws on natural resources and the operations of foreign companies, including mining, oil, and gas legislation. States were also urged to adopt legally binding standards on transparency in licensing contracts, debt agreements, and access to development finance. Finally, the ACHPR called on the African Union and its Member States to take coordinated action to address the structural drivers of Africa's cyclical indebtedness, which continues to cause economic hardship and diverts limited public funds from critical social priorities. The resolution can be found [here](#).

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

- **On June 2, 2025, the ACtHPR announced the election of its new President and Vice President during its 77th Ordinary Session in Arusha, United Republic of Tanzania.**

Judge Modibo Sacko, a Malian national, was elected President, succeeding Judge Imani Daud Aboud, who held the position from 2021 to 2025. Judge Sacko had served as Vice President for the past two years. He has earned several advanced legal degrees and defended two doctoral theses—*The Repression of Human Rights Violations in Times of Armed Conflict: The Case of Mali* (2019) and *Intelligence in the Fight Against Money Laundering and the Financing of Terrorism* (2023). In addition, he has multiple publications on human rights, humanitarian law, and related matters, and has completed extensive specialized training in these areas. Judge Sacko is also a lecturer at several

universities in Mali, as well as at military academies and the Malian National Police Academy.

The new Vice President, Judge Bensaoula Chafika, an Algerian national, assumes the role previously held by Judge Sacko. Judge Bensaoula has served as a judge of the ACtHPR since 2017, and in 2023 she was re-elected for a second six-year term. She holds a doctorate in public law and has published numerous scholarly works, including *The Issue of Mediation in the Algerian Civil and Administrative Procedure Code*. Beyond her work at the ACtHPR, she serves as an advisor to Algeria's Council of State and the Conflicts Tribunal, and lectures at the National School of the Judiciary.

In accordance with Article 21 of the Protocol to the African Charter establishing the Court, the new elected bureau will serve a two-year mandate, from 2025 to 2027. The press release can be found [here](#). ■

## IV. EUROPEAN HUMAN RIGHTS SYSTEM

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

- **On April 24, 2025, the ECtHR ruled that France failed to protect three girls who alleged being raped at the ages of 13, 14, and 16, finding multiple violations of the European Convention on Human Rights (ECHR).** The applicants—Ms. L. (b. 1995), Ms. H.B. (b. 2005), and Ms. M.L. (b. 1991)—faced serious shortcomings in the handling of their cases by French courts.

#### The case of L.

In 2010, Ms. L., accompanied by her mother, reported to police that she had been raped in 2009 at the age of 14 by two 21-year-old firefighters. She described herself as psychologically fragile, isolated due to bullying, and repeatedly hospitalized in child psychiatric wards. She relied on firefighters for emergency care during tetanic seizures. In 2011, an investigation was opened on charges

of rape based on psychological coercion arising from the significant age difference, but the judge reclassified the offense as sexual assault without violence, threat, coercion, or abuse of vulnerability. The Court of Cassation later upheld this view, reasoning that the victim was capable of consenting. The investigation lasted nearly 12 years, during which Ms. L.'s health deteriorated and she was retraumatized.

#### The case of H.B.

At age 14, Ms. H.B. was assaulted by two men, aged 21 and 29. They were charged with sexual assault without violence, coercion, threat or by taking advantage, committed against a minor under 15. In 2021, both defendants were acquitted, and the victim's appeals were dismissed.

#### The case of M.L.

At age 16, Ms. M.L. alleged repeated non-consensual sexual acts by an 18-year-old man. In 2020,



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the case was discontinued, claiming lack of reasonable evidence and pointing to the absence of “trauma” as grounds to dismiss violence, coercion, or threat. Appeals were declared inadmissible.

### The ECtHR’s findings

The ECtHR concluded that in all three cases the French authorities failed to conduct contextual, victim-sensitive assessments and disregarded key elements of vulnerability and power imbalance, such as age, psychological fragility, and intoxication. It condemned the excessive delays in proceedings, the unequal treatment of victims’ testimonies compared to those of the accused, and the lack of safeguards for the applicants’ dignity throughout the investigations. Consequently, the ECtHR held that France violated Articles 3, 8, and 14 of the ECHR in the case of L., and Articles 3 and 8 in the cases of H.B. and M.L.

In L.’s case, the ECtHR found the victim was in a state of extreme vulnerability at the time of the

events, further compounded by her psychological fragility. It also noted that the investigation stretched over 12 years, during which the victim was repeatedly revictimized and her health significantly deteriorated.

In H.B.’s case, the ECtHR considered that the domestic courts failed to carry out an adequate assessment of the victim’s circumstances, disregarding both the fact that she had consumed significant amounts of alcohol and her own statements.

In M.L.’s case, the ECtHR found that the victim’s statements were not accorded the same weight as those of the accused, and that the courts failed to consider her consumption of intoxicating substances, which placed her in a particularly vulnerable situation. The judgment (in French) can be found [here](#) and the press release [here](#). ■

## V. INTER-AMERICAN HUMAN RIGHTS SYSTEM

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

- **On May 10, 2025, the IACHR Special Rapporteurship for Freedom of Expression (SRFOE) released a special report on the alarming state of press freedom in Haiti.** The SRFOE has monitored the situation for the past 24 years, documenting dozens of crimes against journalists, including killings, kidnappings, and threats. According to the report, these crimes have escalated since the onset of Haiti’s multi-dimensional crisis, which has deepened significantly since 2018.

The new report provides an overview of developments up to 2022 and updates the record through 2025. It identifies two distinct cycles. The first, from 2018 to 2021, was marked by political tensions and government crises triggered by allegations of corruption, fraud, and rising living

costs due to escalating fuel prices. During this period, serious violations occurred, including the absence of elections and the excessive use of force by security authorities.

The second cycle began in 2021 with the assassination of President Jovenel Moïse and continued under the interim government of Ariel Henry (2021–2024). This period was marked by institutional breakdowns, the weakening of State functions, and a sharp rise in human rights violations—most of which remain uninvestigated and unpunished. Among them were the murders of at least 12 journalists, many killed while covering violent clashes between criminal gangs for territorial control. Journalists have also faced kidnappings, forced displacement, physical assaults, and widespread exile. Despite government changes, Haiti continues to face instability and a severe, multifactorial crisis.

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## Inter-American Human Rights System —continued from page 6

The SRFOE underscored that press freedom is essential to overcome this crisis. It held that an independent press not only exposes human rights violations but also amplifies victims' voices and mobilizes both national and international action. The report highlights the press's critical role in creating conditions for credible general elections—fundamental to restoring the effective functioning of the State. The SRFOE concluded that journalism has become a high-risk profession in Haiti and urged the State to commit, both in public pronouncements and policy plans, to fight impunity and protect journalists. It also recommended several measures, including the creation of specialized protection mechanisms for journalists, the training of security forces, and the investigation of crimes against members of the press with full consideration of their professional role. The report can be found [here](#) and the press release [here](#).

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

- **On 3 April 2025, the IACtHR presented its Annual Report for 2024, marking the institution's 45th anniversary.** Judge Nancy Hernández López, who assumed the presidency in January 2024, emphasized that every decision of the IACtHR has the potential to transform realities.

During 2024, the IACtHR consolidated its work through 38 decisions, including contentious and interpretation judgments, 10 public hearings, and 3 hearings on advisory opinions, alongside multiple on-site visits and institutional activities. Of the 38 judgments, 7 were against Ecuador, 6 against Colombia, and 5 against Brazil, with additional rulings involving Chile, El Salvador, Nicaragua, Bolivia, and others. The IACtHR reported an average processing time of 29 months, underscoring its continuing efforts to ensure timely adjudication.

On monitoring compliance with judgments, the IACtHR monitored 322 cases involving 1,755 reparation measures—spanning restitution, compensation, and guarantees of non-repetition. Furthermore, in 2024 the IACtHR issued 16 resolutions on Provisional Measures. By the end of the year, there were 44 provisional measures in force, including 12 concerning Guatemala, 7 related to Brazil, and 6 each for Colombia and Nicaragua, among others.

The IACtHR further highlighted four advisory opinions under analysis in 2024: the role of private arms companies and their human rights impact (requested by Mexico in 2022); the climate emergency and human rights (requested by Colombia and Chile in 2023); the content and scope of the right to care and its interrelationship with other rights (requested by Argentina in 2023); and democracy and its protection within the Inter-American Human Rights System (requested by Guatemala in 2024). The report also referenced significant case-law developments in various human rights areas.

As for financing, the IACtHR received a total of USD 8,297,460.73 in 2024, of which 64.78% came from the OAS Regular Fund. Additional resources derived from international cooperation projects, voluntary contributions from Member States, and other extraordinary income.

The report also covered a wide range of institutional initiatives, including the Victims' Legal Assistance Fund (VLF), the Training Center (TFC), new publications, communications strategies, agreements with national and international bodies, and improvements in information and knowledge management, as well as updates on the IACtHR's staffing. The Annual Report for 2024 can be found [here](#) and the press release (in Spanish) [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. It should be noted that neither

the HRIG nor ASIL are part of the election processes for these positions, and therefore this listing is for informational purposes only.



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

This category presents a list of some positions available at the United Nations that 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
Legal Assistant (G-6)	Office of Legal Affairs	Conducts basic legal research; assists in the maintenance of a body of legal reference files; reviews material and determines appropriate file classification category; drafts, edits and conducts final check for accuracy of a variety of specialized legal documentation, publications, and correspondence; manages individual case files, and ensures that all related correspondence and other documentations are appropriately filed, registered and followed up as necessary; services various committees and other meetings, including assisting in the preparation of session documents, among others.	September 9, 2025	<a href="#">Find it here.</a>