

Akāhatā

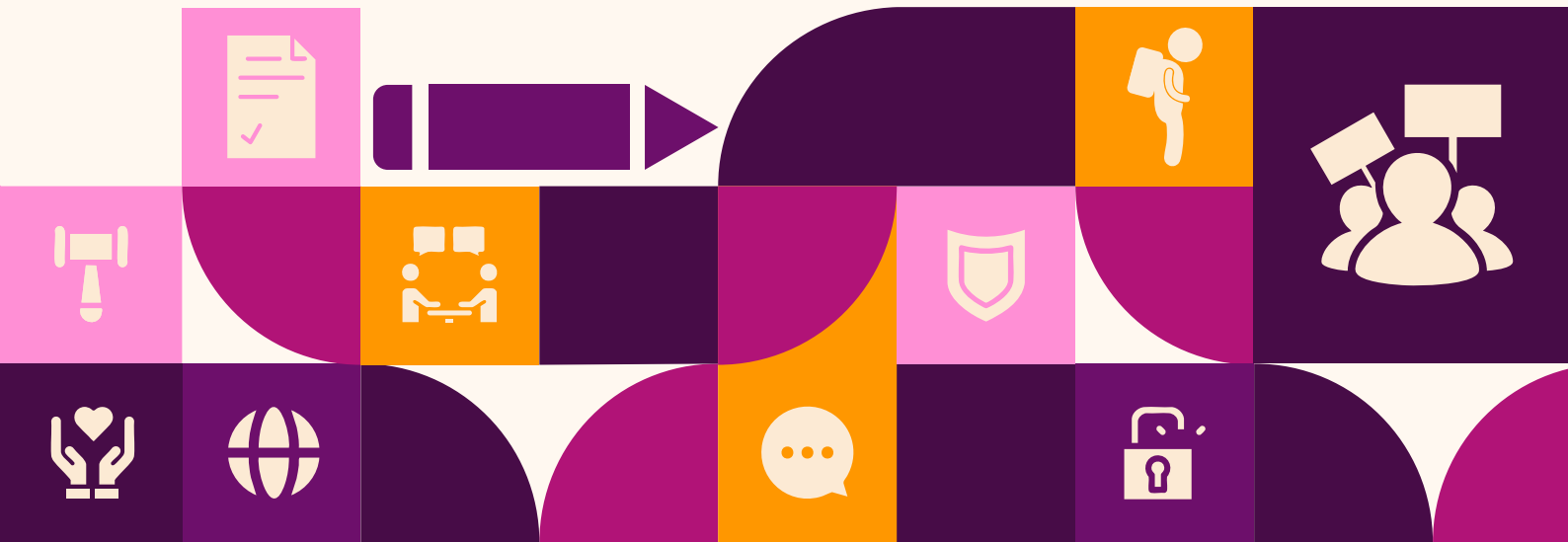


ADVISORY OPINIONS



HUMAN RIGHTS
ACTIVIST MANUAL

Akāhatā, 2026



CREDITS

Editorial

Victoria Pedrido

Contributions and Proofreading

Maria Luisa Peralta

Julia Bloch

Karina Trujillo

Fernando D'Elio

Paule Cárdenas

Design

Jorge Palma

Translation

INTRACOM - Jenny Núñez

ACKNOWLEDGMENTS

Special acknowledgments are due to Dr. Eugenio Raúl Zaffaroni for the generosity and commitment to human rights he demonstrated by agreeing to write the foreword to this manual. His words not only honor this work but also offer a critical, humanistic, and deeply democratic perspective on the role of Advisory Opinions in the construction and defense of fundamental rights in our region.

To the panelists who participated in the series of virtual meetings “The Advisory Opinions of the Inter-American Court of Human Rights,” from whom we have learned immensely throughout this process: Iván Chanis Barahona (Iguales Foundation), Karen Anaya (LGBTI Litigation Network of the Americas), Paula Artavia (ACCEDER Citizens’ Association), and Angel Cabrera Silva (University of Washington Tacoma).

We also thank the organizations and collectives that trusted us to work collaboratively on the drafting and submission of written observations in various advisory opinion proceedings before the Inter-American Court; in particular, the Trans Feminist Association AFET, the Reinas de la Noche Trans Organization OTRANS-RN, the National Federation of Mothers, Fathers, and Families of People with Disabilities, the Mariposas 88 Collective, the Progreseño Center for Disability Services, the Vidas Paralelas Association, and the ACCEDER Citizens’ Association.

These collaborations made possible the collective development of contributions within the framework of processes such as the advisory opinion on “The Right to Care and its Interrelation with Other Human Rights,” submitted by Argentina; “Climate Emergency and Human Rights,” jointly promoted by Colombia and Chile; as well as the current request for an advisory opinion on “Democracy and its Protection under the Inter-American Human Rights System”

This publication was produced with financial support from Synergia and is a component of the “Strategic Use of the Inter-American Court of Human Rights’ Advisory Opinions among LGBTIQ+ Activists in Latin America” project implemented by Akāhatā.

TABLE OF CONTENTS

Foreword	4
Introduction	6
How to Use This Manual	8
Part I: Institutional	
What is the Inter-American Court of Human Rights (IACHR)?	9
Jurisdiction and Access to the Court	11
Collaboration with IACHR mechanisms to maximize impact	13
Part II Operational	
Advisory Opinions: A Beacon for Democracy	16
Evolutionary interpretation of conventions and treaties	17
Who may request an advisory opinion?	20
Who may participate in the advisory process?	21
How can activists advocate for an advisory opinion?	24
Collective wisdom	25
Local monitoring	26
Part III: Case Studies	
The Contribution of Advisory Opinions to Democracy	28
El trabajo de Akāhatā con las Opiniones Consultivas	31
OC 32/25 Climate Emergency and Human Rights	31
OC 31/25 The content and scope of the right to care and its interrelation with other rights	33
OC 29/22 Differentiated approaches regarding certain groups of persons deprived of liberty	36
OC 27/21 Rights to freedom of association, collective bargaining, and the right to strike, and their relationship to other rights from a gender perspective	37
OC 24/17 Gender identity and equality and non-discrimination of same-sex couples	39
Use of Advisory Opinions in Court Rulings	42
Advisory Opinions in the Training of Government Officials	46
Part IV: Recommendations for Submitting Contributions to the IACHR	48
Part V: How to Prepare for a Hearing	53
1. Drafting the Text: From the Written to the Strategic	54
2. Reading: The Word as a Tool of Oratory	55
3. The Presentation: Logistics, Interaction, and Self-Care	56
Sources consulted and recommended	58

FOREWORD

National and international laws come into force when they are enacted by the competent authorities, but the mere fact that they are in force does not make them effective; in other words, the path from entry into force to effectiveness is sometimes long and difficult to traverse. This path requires the corresponding call for effectiveness before national courts and, in the case of the American Convention on Human Rights, before the international courts established by the Inter-American System, which, as rightly noted, is the Inter-American Court of Human Rights (IACHR).

At this complex and civilizationally regressive moment for the world and our continent, it is necessary to redouble efforts to ensure the effectiveness of human rights, without wasting any opportunity or omitting any possible intervention in this regard, especially by civil society organizations.

We must be candid regarding the Inter-American Human Rights System, pointing out its weaknesses, at least in comparison with the European system: in our system, victims cannot go directly to the IACHR (based in San José, Costa Rica), but must file a complaint with the OAS Human Rights Commission (based in Washington), which opens the case, summons the accused State, grants the complainant a hearing, promotes conciliation, and, finally, if it deems it appropriate, refers the case to the IACHR—a process that often takes far too many years.

The proceedings before the Inter-American Court are relatively swift, as there are generally no significant delays before its bench; however, combined with the prior delays at the Commission, this means that the final decision in a case sometimes arrives decades after the rights violation occurred. The only remedy for this delay is provisional measures, which are mandatory and immediately enforceable; however, the Inter-American Court can issue them only in cases already transferred by the Commission or at the Commission's request. To date, the Court has not been able to impose such measures on its own initiative outside of these circumstances. In summary: the Inter-American Court of Human Rights is important in terms of establishing international case law in the region, but it is not very effective at resolving individual cases in a timely manner.

Civil society organizations have few opportunities to intervene in these contentious cases, although the possibility of addressing the Inter-American Court as friends of the court (*amicus curiae*) remains open. However, since the Inter-American Court's role is not limited to contentious cases but also includes an advisory function through so-called Advisory Opinions, over the years these have accumulated into a body of doctrine that is both highly interesting and useful for the effectiveness of rights, as exemplified by the cases mentioned herein.

These Advisory Opinions are issued at the request of one of the States or of a body within the System itself. Among them, it is worth highlighting those that are truly doctrinal—that is, those that establish criteria for interpretation independent of any current political circumstances—from those that are sometimes promoted by governments—or directly or indirectly by some non-transparent OAS official—with specific political interests of the moment. Obviously, the latter should be set aside.

Doctrinal advisory opinions offer a magnificent opportunity for civil society engagement, one that is not always leveraged. By explaining the participation mechanism in a simple and highly educational manner, this manual serves as a tool to facilitate engagement in these proceedings. It is important to note how even seemingly minor details are explained in this text, as they are never truly minor when it comes to procedures; indeed, the first obstacle to overcome in accessing any court is often so-called procedural defects.

Equality before the law is the fundamental principle of every democratic state governed by the rule of law, but we live on a continent of inequality, with the highest Gini coefficients (which measure wealth polarization) in the world, and marked vestiges of racism, machismo, sexism, etc. At this moment of rule of law decline, when powerful minorities brazenly operate in opposition to democratic equality, cynically reviving the darkest ideas of human hierarchy, we can do no less than welcome a Manual of this nature and congratulate those who organized and published it.

E. Raúl Zaffaroni

Professor Emeritus at the
University of Buenos Aires

Eugenio Raúl Zaffaroni is an Argentine criminal lawyer, judge, jurist, and criminologist. Between 2003 and 2014, he served as a member of the Supreme Court of Justice of the Nation of Argentina. From 2016 until January 2022, he served as a judge of the Inter-American Court of Human Rights (IACtHR).



INTRODUCTION

This manual is based on the conviction that an informed and active civil society is the best safeguard against authoritarian backsliding and the erosion of spaces for political engagement. **The American Convention on Human Rights**, also known as the Pact of San José, Costa Rica, establishes that democratic institutions are the indispensable framework for a system of personal liberty and social justice. The Convention emphasizes that within a State governed by democratic institutions, the guarantee of human rights is based on fundamental conditions such as **freedom of association** and **political engagement**.

The gains in sexual and reproductive rights, as well as a gender perspective in the guarantee, advocacy, defense, and enforcement of other human rights in Latin America and the Caribbean, are the result of the struggles of feminist, LGBTIQ+ movements, organizations, and coalitions, and their interregional alliances.

These struggles converge in a **persistent commitment to education** for the advocacy and socialization of human rights, with a keen eye on the ways in which gender, race, class, sexuality, disability, immigration status, and age (among others) intersect, creating unified systems of oppression. We, the movements, have also learned to unite specific demands into a common struggle to maximize our impact.

Both case law and various documents included in the Inter-American Human Rights System indicate that in a democratic society, human rights, their guarantees, and the rule of law constitute a triad in which each component acquires meaning in relation to the others. In this sense, the effective exercise of democracy is not merely an internal matter for each country, but an

international legal obligation under the terms of the American Convention on Human Rights and the **Charter of the Organization of American States (OAS)**.

Freedom of expression, political organization, and engagement are the founding pillars of democracy, which we understand, among other things, as the ability to exert legitimate pressure on States to hold them accountable for the allocation of technical and financial resources for the effective fulfillment of human rights.

Participation in human rights consultation and monitoring mechanisms strengthens the **quality of democracy**. The use of these mechanisms seeks not only to rectify rights violations but also to prevent arbitrary actions and ensure that the rule of law is a tangible reality. That is why political engagement is key to influencing the government's agenda and ensuring that they comply with the obligations arising from the treaties signed by States and that human dignity is the foundation of all state actions. This, which seems obvious, becomes a complex challenge in light of the current geopolitical situation and its impact on the economic, social, and cultural conditions of each country.

Akãhatã presents this Manual on Advisory Opinions, which is part of the **“Strategic Use of the Inter-American Court’s Advisory Opinions among LGBTIQ+ Activists”** project.

Through this initiative, we aim to provide concrete tools to facilitate the strategic use of international standards and the Inter-American Court’s Advisory Opinion mechanism in the advocacy and participation processes of organizations and activists in the region. Thus, we contribute to strengthening collective advocacy within the inter-American system and promoting the translation of human rights into real changes on the ground.

Akãhatã, May 2026

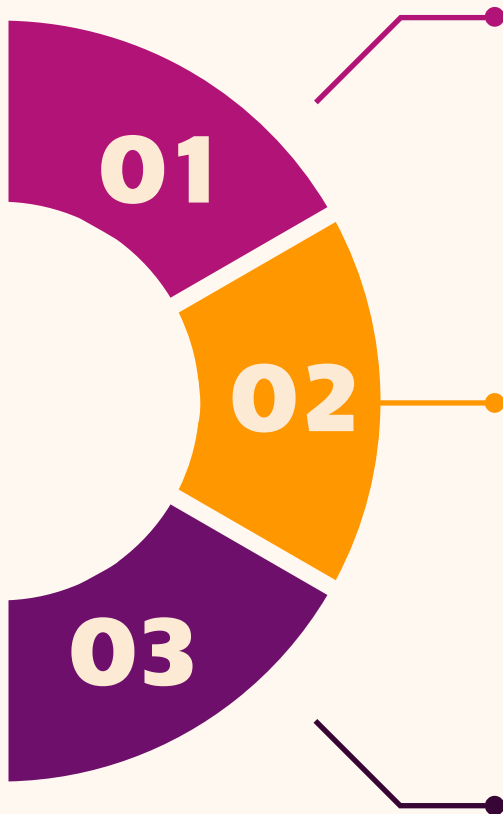


HOW TO USE THIS MANUAL



It is essential that organizations understand the importance of their role as a link between civil society and international organizations.

This manual is an invitation for activists and civil society organizations to take advantage of the democratic space and use the inter-American system as a platform to multiply and amplify their voices. The document includes information needed to participate in the **Advisory Opinions** procedure.



First part

The first part of the manual addresses the institutional framework, scope, and functions of the Inter-American Court, as well as ways to strengthen collaboration with the mechanisms of the Inter-American Court to maximize the impact of advocacy.

Second part

The second part explains what Advisory Opinions are, delves into the interpretive role of the Inter-American Court, and explores opportunities for advocacy by social movements. It outlines the steps to participate in the advisory procedure initiated by the Inter-American Court, through written submissions, participation in hearings, the use of sources, and the organization of interpretations and conclusions regarding human rights instruments and their application in the region.

Third part

Finally, in the third part, we examine the observations from a series of Advisory Opinions in which Akāhatā has participated. These are consultations on specific human rights issues that all converge on the strengthening of the democratic system as an indispensable foundation for the exercise of rights. We also share some examples of references to Advisory Opinions in judicial rulings.

We urge organizations to familiarize themselves with the use of advisory opinions to enrich the discussion and provide the judges of the Inter-American Court of Human Rights with perspectives that are linked to people's concrete lived experiences and that may be unknown to the judges. It is our voices and contributions that will ensure our needs, realities, and proposals are taken into account.

Part 1 Institutional

THE COURT

IACHR



**WHAT IS THE INTER-AMERICAN COURT
OF HUMAN RIGHTS (IACHR)?**

The **Inter-American Court of Human Rights** (IACHR) is an autonomous judicial institution of the Organization of American States (OAS) whose primary objective is the **application** and **interpretation** of the **American Convention of Human Rights**. It is one of three regional courts for the protection of fundamental rights, alongside the **European Court** and the **African Court on Human and Peoples' Rights**.

In accordance with the American Convention, the IACHR performs **three fundamental functions**: advisory, adjudicatory, and the issuance of provisional measures.



Advisory

Among its powers, the Inter-American Court's primary objective is to ensure the proper application and interpretation of the American Convention on Human Rights and other instruments and treaties of the Inter-American and international systems¹. This is its **advisory function**.

As the final interpreter of the American Convention, the Inter-American Court establishes standards that all state authorities must apply, conducting an analysis of the compatibility between domestic laws and the international treaty. In other words, it applies control **of conformity with the Convention**.

Contentious

In turn, the Inter-American Court of Human Rights **intervenes in contentious situations**, that is, circumstances involving litigation (trials). This function is regulated in Chapter VIII of the Convention². The contentious function deals with the resolution and supervision of the enforcement of judgments

Issue provisional measures

The Inter-American Court of Human Rights also has the authority to **issue provisional measures** as a mechanism for the protection of human rights. It does so in cases of extreme gravity and urgency, and when it is necessary to prevent irreparable harm to individuals³.

¹ Article 64 of the American Convention

² particularly Articles 61 through 63 of the aforementioned work

³ Article 63.2 of the American Convention.

The Inter-American Court of Human Rights was established by the American Convention on Human Rights (ACHR). The States that have signed and ratified the American Convention, in addition to committing to the observance of the rights enshrined therein, have recognized and accepted the jurisdiction of the Inter-American Court of Human Rights through that act and, therefore, may be subject to its adjudicatory jurisdiction. Argentina, Barbados, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, the Dominican Republic, Suriname, and Uruguay have declared, through the signing and ratification of the American Convention, that they recognize the jurisdiction of the Court. Some states have not ratified the American Convention, such as Canada and the United States of America. This not only concerns the recognition—or lack thereof—of the jurisdiction of the Inter-American Court of Human Rights, but there is also a series of other commitments to which these countries have not subscribed.

Individuals cannot file cases directly. Cases are primarily referred to the Court through the **Inter-American Commission on Human Rights** (IACHR) after domestic legal remedies have been exhausted. The IACHR may refer a case to the Inter-American Court only if the State in question recognizes the Court's jurisdiction.

Jurisdiction: Its judgments are binding on those States that have ratified the American Convention and accepted the jurisdiction of the Inter-American Court of Human Rights, and there is no higher court of appeal. Currently, 20 OAS member states have recognized its adjudicatory jurisdiction, making its judgments binding.

How is the Inter-American Court of Human Rights composed?

The Inter-American Court of Human Rights is composed of seven judges from OAS member states. These judges are nominated by one of the member states during the annual OAS General Assembly, but they serve in a personal capacity and not as representatives of a country. They are elected by the OAS member states that have ratified the ACHR during the General Assembly. Their term of office is six years, with the possibility of reelection. Half of the Court's membership is renewed every two years.



Key Facts

Independence: The judges of the Inter-American Court of Human Rights do not represent their countries of origin.

Term of office: They are elected for a six-year term and may be re-elected

What is the difference between the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights?



01

Inter-American Court of Human Rights

The Inter-American Court of Human Rights is the OAS's independent **judicial body** based in San José, Costa Rica

02

Inter-American Commission on Human Rights

The Inter-American Commission on Human Rights is an OAS body dedicated to **advocating and defending** human rights, based in Washington, D.C.

In other words, the Inter-American Commission on Human Rights can receive complaints from individuals or organizations regarding violations or breaches of human rights obligations by States and make recommendations to States, but these are not binding.

The Inter-American Court of Human Rights issues judgments that are binding on States and serves as the authoritative source for the interpretation of inter-American treaties.

Main Functions of the Inter-American Court of Human Rights

Adjudicative Function

The Court determines whether a State has incurred international responsibility for the violation of rights enshrined in the Convention or other applicable treaties. Judgments issued in this context are binding, final, and not subject to appeal. This function also includes monitoring compliance with judgments to ensure that the ordered reparations are effectively carried out.

Advisory Function

The Inter-American Court of Human Rights responds to inquiries from OAS member states or its organs (e.g., the Inter-American Commission on Human Rights) regarding the interpretation of the Convention or the compatibility of their domestic laws with international human rights instruments

Provisional Measures

These are ordered by the Inter-American Court of Human Rights in cases of extreme gravity and urgency to prevent irreparable harm to individuals.

Collaboration with Inter-American Court mechanisms to maximize impact

To maximize the impact of human rights advocacy, collaboration with the Inter-American Court of Human Rights must be understood as a strategic process that leverages its various functions and spaces for social participation. Interaction with this Court is not limited to litigation but encompasses an ongoing dialogue aimed at strengthening democratic institutions and the rule of law in the region.

Advocacy in the Advisory Function (Prevention and Standards)

The advisory function is a highly significant tool for preventive advocacy, as it allows for the interpretation of the scope of rights without the need for prior litigation.



Citizen engagement: although only States and OAS bodies may request an opinion, the Court issues broad calls to civil society organizations (CSOs), academia, and interested individuals to submit written and oral observations.

Impact of Standards: Collaboration in this process helps the Court issue opinions that serve as a guide for all state authorities to exercise conventionality review and adapt their domestic laws to prevent rights violations.

Contextualization of standards: The Court interprets texts already adopted but from a contextualized perspective that analyzes their application to situations and realities that had not been conceptualized when the treaties were adopted. An important example is the relationship between freedom of expression and digital social media.

Strategic Litigation and Amicus Curiae

Because individuals cannot file cases directly with the Court, collaboration begins with a complaint filed with the Inter-American Commission (IACHR). This may take the form of:

- The role of «**amicus curiae**»: a Latin expression meaning “friend of the court.” It is a legal concept whereby third parties not involved in a dispute (individuals, organizations, or institutions) voluntarily submit technical reports, legal arguments, or scientific evidence to assist the court in resolving complex cases or those of public interest.



Purpose: to provide an additional, objective, and specialized perspective to improve the quality of the judicial decision, especially in cases involving human rights or those with significant social impact.

Participants: Those who frequently use this tool are typically NGOs, other civil society organizations, academic institutions, or experts who are not direct parties to the trial but have a legitimate interest in the subject matter at hand.

Scope: Although it is a technical contribution, it is not binding; that is, the court decides whether or not to take the arguments presented into account.

- **Submission of evidence:** This mechanism allows CSOs to introduce specialized legal arguments or social contexts that enrich the judges' analysis.

Monitoring Compliance with Judgments

Advocacy does not end with the judgment; its real effectiveness depends on the implementation of the ordered reparations.



- **Monitoring and observatories:** The Court highly values the creation of monitoring observatories by civil society and academia to ensure that States comply with non-repetition measures and reparations for victims.
- **Field Information:** Organizations can submit information to the Court regarding progress or setbacks in compliance, which is vital during monitoring hearings and the Court's visits to the territories.

Strategies for Collective Collaboration

To maximize impact, it is strategic for advocacy to be comprehensive and organized:

Coalition work: participating through CSO coalitions increases credibility and allows for specialized division of labor (some organizations monitor, others raise awareness, and others litigate).



Rigorous Documentation: The presentation of well-documented and verified information is more difficult to refute and constitutes a solid argument for international mechanisms to act.

Educational use of case law: CSOs should use the **Court's Case Law Booklets** as training tools for national justice practitioners, promoting the local application of inter-American standards.

In conclusion, effective advocacy is achieved through active participation in all stages of the rights protection mechanisms' cycle, thereby ensuring that the voices of civil society act as a bridge between citizens and international justice.



Part 2 Operations

ADVISORY OPINIONS



A BEACON FOR DEMOCRACY

The objective of this section is to guide activists and civil society organizations (CSOs) on how to use the advisory function of the Inter-American Court of Human Rights as a tool for advocacy to defend and expand human rights. As in the universal system, citizen engagement in these mechanisms allows for the exchange of ideas and the coming together to claim rights, which is essential for building democratic societies.

EVOLUTIONARY INTERPRETATION OF CONVENTIONS AND TREATIES

The advisory function of the Inter-American Court of Human Rights aims to respond to inquiries regarding the interpretation of the American Convention or other treaties concerning the protection of human rights in the Americas.

Advisory Opinions are public analytical documents and can serve as a guiding light for the preservation of democracies founded on respect for and the guarantee of human rights⁴. Unlike judgments in cases involving specific violations, Advisory Opinions have **fundamental added value for the quality of democracy**. This is explained by the view held by both the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights that the Convention, as well as other international treaties, are “**living instruments.**”

⁴ Link



What does it mean that they are **living instruments**?

It means that beyond their strict original intent, treaties and conventions apply in **dynamic political, economic, cultural, and social contexts**. Given this changing landscape, these instruments must be interpreted in light of the evolution or emergence of specific issues that affect people's living conditions.

This approach allows the Court to integrate broader international norms, practices, and consensus into its interpretations, adapting them to current social, scientific, technical, and legal realities. This contributes to the progressive development of inter-American human rights law. Likewise, interpreting the American Convention and other human rights treaties in light of the complexities of the context requires the creation of new political and institutional frameworks for the protection of rights..

Are Advisory Opinions **Binding**?

Although the Court's Advisory Opinions do not have the same legally binding effect as a judgment in a contentious case (they are not directly binding in the same way as a judgment declaring violations committed by a specific State Party), for States that have ratified the American Convention, Advisory Opinions constitute an authoritative interpretation of an international treaty that they themselves have accepted.

However, although they do not "bind" a State automatically like a judgment, **they do constitute interpretive standards** that States must consider in their policies, laws, and practices to comply with their international obligations. By this we mean that advisory opinions do not arise from the exhaustion of domestic remedies. Rather, their purpose is to provide an interpretation of inter-American treaties that allows them to be applied to issues that are new in their conceptualization (care) or situations arising from novel contexts (climate change).

In practice, Advisory Opinions carry significant legal and persuasive weight and are used by national courts, international organizations, and human rights defenders as a guide for interpreting and applying human rights obligations in specific contexts.

In this sense, Advisory Opinions have added value in terms of democratic quality, as they serve to:

Interpret the scope of rights: clarify what international obligations mean in emerging issues or those of specific complexity (such as sexual rights or the climate emergency).

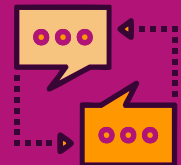
Assess the compatibility of laws: determine whether a national law contradicts inter-American standards, identifying potential incompatibilities that could lead to rights violations in its application.

Guide the review of treaty compliance: serve as a compass so that judges and judicial authorities, other public officials, and local authorities apply treaties correctly in their daily policies and decisions.

The advisory function of the Inter-American Court of Human Rights through its Advisory Opinions could be summarized as **interpreter, monitor, and compass.**

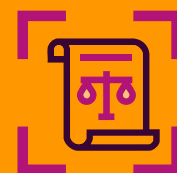
INTERPRETER

Interpretation of the scope of human rights in accordance with the American Convention and other international legal instruments



MONITOR

Monitoring the proper interpretation of language of the American Convention in national regulations.



COMPASS

A compass for the proper application of international law within local legal frameworks and public policies.



WHO CAN REQUEST AN ADVISORY OPINION?

When a State is a party to the American Convention, it is binded to respect and apply not only the rights and obligations enshrined in its text, but also the interpretations that the Inter-American Court of Human Rights formulates regarding them.

This is set forth in **Article 1 of the American Convention** on the Obligations and Duties of States:

«The States Parties to this Convention undertake to respect the rights and freedoms recognized herein and to guarantee their free and full exercise to every person subject to their jurisdiction, without any discrimination on grounds of race, color, sex, language, religion, political or other opinions, national or social origin, economic status, birth, or any other social condition.»

In **Article 64, paragraph 1**, the American Convention establishes who is authorized to request an Advisory Opinion from the Court and under what conditions an interpretation of the Convention or other human rights treaties may be requested

«The member states of the Organization may consult the Court regarding the interpretation of this Convention or of other treaties concerning the protection of human rights in the American states.»

In this regard, it is the member states of the OAS that may request an Advisory Opinion once they have accepted or adopted the Convention.

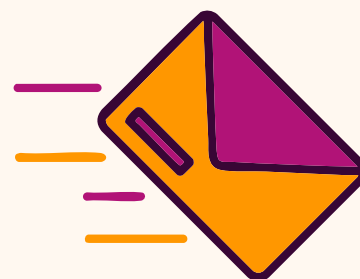
Other OAS bodies, such as the Inter-American Commission on Human Rights (IACHR), and other specialized bodies such as the Inter-American Commission of Women (IACW), the Inter-American Children's Institute (IIN), the Pan American Health Organization (PAHO), and the OAS General Secretariat may also request Advisory Opinions. This is provided that the subject of the consultation falls within the functions of that body, in accordance with the Rules of Procedure of the Inter-American Court of Human Rights⁵, the American Convention on Human Rights⁶ and the OAS Charter⁷.

WHO CAN PARTICIPATE IN THE ADVISORY PROCESS?

To draft Advisory Opinions, the Court opens participatory processes in which all interested parties may contribute: States, national human rights institutions, ombudsman offices, civil society organizations, academic institutions, human rights groups; independent experts on the subject under review; OAS bodies; as well as expert bodies from other human rights systems mentioned above.

To this end, the Inter-American Court of Human Rights announces through its **Newsletter** that it will accept written contributions during a specific time period and shares the request for an advisory opinion it has received from a State or an OAS body. These requests outline the issue to be addressed, including a general introduction to the topic, a justification of the request's relevance, a list of the articles of the American Convention or other treaties for which the Court is asked to provide an interpretation, and a series of specific questions that the Court is expected to answer.

Please send the submission of written contributions related to the Inter-American Court's advisory proceedings to: **tramite@corteidh.or.cr**.



⁵ Art. 59.3 of the Rules of Procedure of the Inter-American Court of Human Rights

⁶ Art. 64.1 of the American Convention on Human Rights

⁷ Art. XII of the Charter of the Organization of American States, as amended by the Protocol of Buenos Aires

After receiving written submissions from interested parties, the Inter-American Court holds a hearing on the matter and invites certain individuals and organizations to present oral statements during a specific hearing period, which are open to the public. These hearings may be held at the Court's headquarters in San José, Costa Rica. However, the Court may also decide to hold hearings in other States in the region, when it deems it appropriate.

Information regarding the date, time, and location of the hearings is communicated in a timely manner to the parties and other interveners who have confirmed their participation, via email, in accordance with the Court's practices and **rules** of procedure.

ADVISORY PROCEDURE

The **advisory procedure** provides formal opportunities for civil society organizations to participate directly

Monitoring of Requests

CSOs should stay informed about advisory requests made by States or OAS bodies (such as the IACHR)

Submission of Written Observations (Amicus Curiae)

After receiving a request, the Court issues a broad call for submissions. CSOs may submit briefs containing legal arguments, social data, or testimonies to inform the debate.

Participation in Public Hearings

If the Court deems it appropriate, it convenes hearings where interested parties can present their views orally before the judges.

Submission of Documented Information

It is vital to present verified, accurate information backed by thorough analysis, as this lends greater credibility and strength to civil society's position.



How often are advisory processes opened?

Advisory processes do not operate on a regular cycle or follow a pre-established schedule. It is not always possible to predict when a request will be made or who will make it, as this mechanism depends on specific requests. Precisely for this reason, when a consultative process is opened, the participation of civil society organizations becomes a strategic opportunity for the defense, expansion, and progressive interpretation of human rights.



How can you stay informed?

To receive updates from the Inter-American Court of Human Rights, you must subscribe to its newsletter by sending an email to prensa@corteidh.or.cr with the subject line “**Subscribe to updates.**” This way, updates will be sent to your email inbox.





HOW CAN ACTIVIST ADVOCATE FOR AN **ADVISORY OPINION?**

Civil society organizations cannot directly submit requests for Advisory Opinions to the Inter-American Court of Human Rights. However, they can strategically influence the process.

In appropriate cases, we can urge our governments to submit requests on issues of importance. If a government interferes with the fulfillment of human rights through action or omission, organizations can also influence consultation requests when **country-specific or regional thematic hearings** are requested **before the IACHR** to place specific issues on the system's agenda.

They can also influence the process through previously mentioned interventions such as “amicus curiae” briefs or “written submissions” when authorized participation processes are opened in advisory proceedings, contributing specialized information, experiences, and perspectives.

It is worth noting that there are States with positions contrary to human rights on certain issues (for example, sexual and reproductive rights) that may file requests for Advisory Opinions or submit comments during the proceedings. Therefore, it is vital that civil society activist organizations seize the opportunity to participate in the consultation processes to contribute to a broad, non-restrictive view of human rights. The final content and utility of an advisory opinion are influenced by the quantity, quality, and diversity of the contributions received by the Court.

This requires strategic advocacy work by civil society organizations defending human rights to build consensus (where possible) so that key issues are not left off the Inter-American system's agenda for discussion.

COLLECTIVE WISDOM



No government alone possesses all the tools or ideas to interpret the conventions and treaties signed in the context of changing social realities. Some governments even tacitly or explicitly omit and/or downplay the responsibility that states have to ensure respect for and compliance with the human rights of the people living in their countries.

It is important to bear in mind that sometimes the people who sit on courts hold conservative or prejudiced views regarding certain issues and certain characteristics of individuals, but on other occasions, rather than an active opposition, what they have is simply a lack of knowledge.

Civil society participation also serves an educational function: to teach courts the specific ways in which people's human rights are violated on the basis of their sexuality, gender identity and expression, disability, social class, age, immigration status, or membership in an indigenous people; to illustrate this with concrete situations from their daily lives to facilitate understanding; and to propose what actions they consider necessary to ensure their human rights are protected and to remedy any harm that may have occurred (or how to prevent harm that might occur).

Furthermore, the relationship between people and the environment in which they live, takes many forms and has many aspects: from the most strictly material (such as access to drinking water) to economic (livelihoods) and cultural and religious aspects. Human rights violations resulting from environmental damage are therefore also highly varied and context-specific.

Human rights are universal because human dignity stems from the mere fact of being human, but the way in which each individual experiences human rights violations is determined by their personal circumstances and those of the social groups to which they belong, the historical moment, the country in which they live, and the political system in that country, among other factors.

For these reasons, the collective construction of knowledge is indispensable for guiding the courts' final recommendations. This "wisdom" draws on the knowledge and experience of organizations' struggles, as well as the enormous diversity of life situations faced by individuals and communities. It is also part of advocacy strategies to ensure that the documentary, social, and political legacy of the movements resonates with the judges of the Inter-American Court of Human Rights.

During the **advisory process, civil society organizations** raise concerns, issues, and specific data regarding the topic under consultation.

They help communities voice their concerns before the court

They provide technical and factual information (based on verifiable facts) that the judges may not be aware of

They give visibility to vulnerable groups, ensuring that their perspective on inclusion is considered in public policies



LOCAL MONITORING

Advocacy does not end when the Inter-American Court of Human Rights issues its Advisory Opinion. As with UN recommendations, civil society must work on follow-up and implementation to transform international standards into local realities.

Activist organizations can:

Disseminate and raise awareness: translate and communicate the Advisory Opinion to communities and the media to raise awareness about the interpretation of human rights in light of current circumstances.

Political advocacy: use the standards of the Advisory Opinion to demand that Parliament or the executive branch amend national laws.

Strategic litigation: cite the Advisory Opinion in domestic court cases so that judges apply the test of conformity with international standards and protect rights (for example, in cases involving gender identity or equality before the law)

Building coalitions: work with other organizations to monitor whether the State complies with the Inter-American Court's preventive guidelines. Joining forces increases the influence and credibility of advocacy efforts

SIX KEY POINTS ON ADVISORY OPINIONS

Purpose of Advisory Opinions

They serve to interpret the rights enshrined in the American Convention and other human rights instruments in an evolving manner and to define their scope and international standards of application.



Who can request an advisory opinion?

OAS Member States, including those that have not ratified the Convention, and **OAS bodies** such as the IACHR and other specialized bodies.



Opportunity for advocacy

Organizations have the opportunity to advocate with their governments to request a consultation, and in cases where governments are not aligned with the human rights platform, they can advocate to place issues on the agenda before the IACHR or other OAS bodies.



Who can participate in the process?

Once the Inter-American Court of Human Rights opens the participatory process, civil society organizations can submit written contributions to tramite@corteidh.or.cr. You do not need to be a legal professional to participate.



How can I find out about advisory opportunities?

Advisory opinions do not follow regular cycles or adhere to a pre-established schedule. Therefore, it is very important to subscribe to the Inter-American Court of Human Rights' Newsletter to be notified when these processes open.



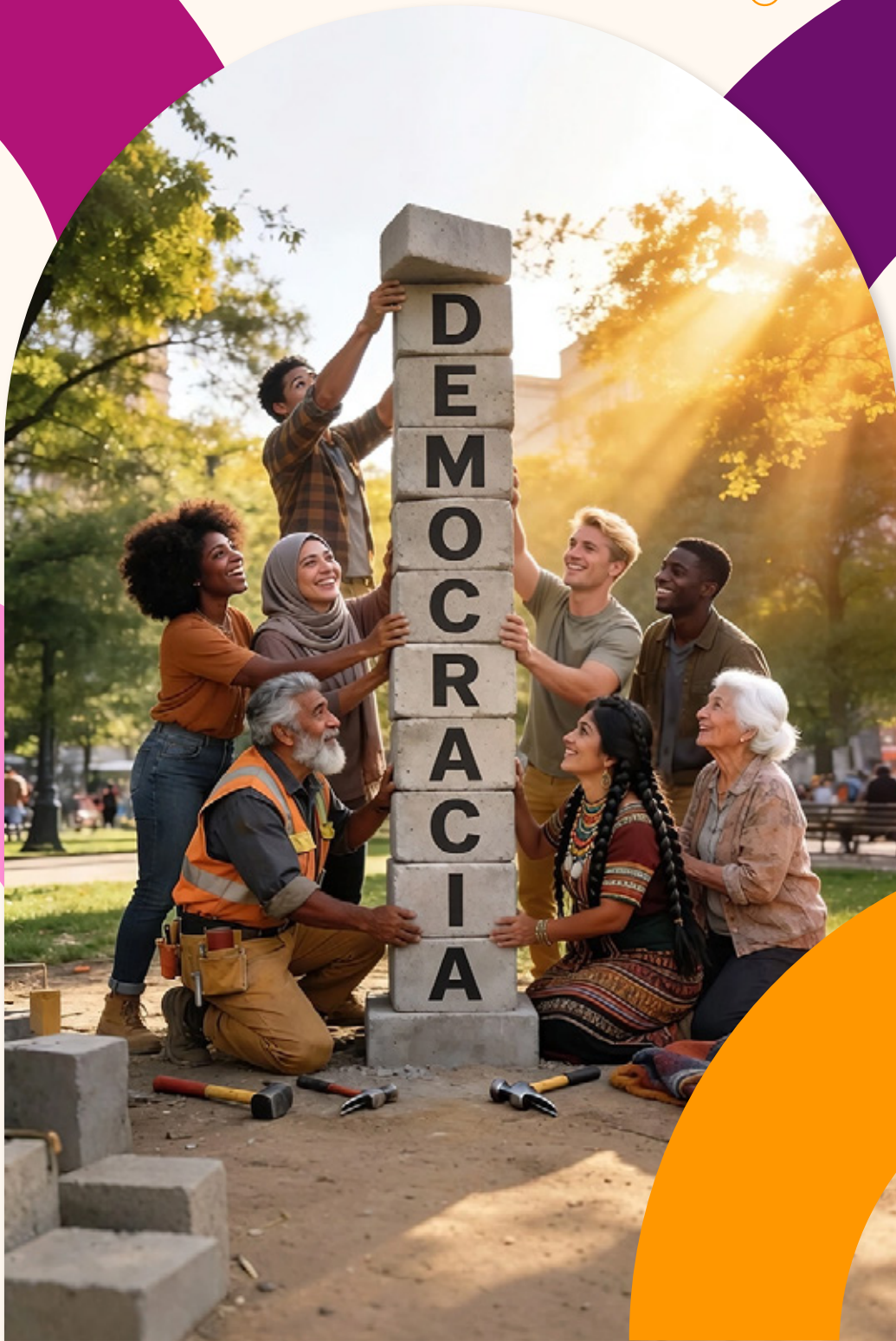
How do I subscribe to the Newsletter?

By sending an email with the subject line "Newsletter Subscription" to prensa@corteidh.or.cr



Part 3 Commented Cases

THE CONTRIBUTION OF ADVISORY OPINIONS TO DEMOCRACY



The 2026 Democracy Report⁸ published in March 2026 (V-Dem Institute) shows that, **for the first time in the world, there are more authoritarian regimes than democratic ones.** Although we cannot yet speak of a regional trend, there are some worrying signs, such as the emergence of political leaders who publicly express their rejection of the human rights paradigm.

“In 2025, Western Europe and North America recorded the most notable decline in democracy in both country-weighted and population-weighted averages. This is primarily due to recent events in the United States. The democratic decline in Latin America and the Caribbean, which seemed to have been reversed with the change of course in Brazil in 2023, is now reversing again due to the rise of autocratic rule in Argentina and Mexico”⁹.

These authoritarian regimes result from electoral democracy; yet they tacitly or explicitly omit the responsibility to serve as guarantors of human rights in their decisions, rhetoric, and policies. These are formal democratic regimes, that is, merely electoral ones. They lack full substantive democracy: they restrict genuine citizen participation; they deny state responsibilities to ensure equality; and they downplay the duty of accountability¹⁰.

The attack on the freedom of protest and organization; the denial of historical and scientific facts; the distortion of information driven by the reach of digital technologies; the neglect of sexual, reproductive, and non-reproductive rights; the criminalization of migration; the precariousness of care; the pathologization of sexual and gender

diversity; the abandonment to the point of letting particularly vulnerable groups such as children, the elderly, and people with disabilities die; as well as the stigmatization and persecution of Indigenous and Afro-descendant communities defending their territories and the environment against extractive activities are some examples.

Let us consider for a moment the range of rights related to democracy. Freedom of expression, freedom of association and participation; transparency in electoral and deliberative processes; fixed terms for the executive and legislative branches and the rotation of officials; separation of powers; protection against arbitrary interference in private life; freedom of belief and conscience; accountability of public officials; public disclosure of government actions; freedom from arbitrary detention; respect for individual freedoms; judicial proceedings with the right to a defense, impartial judges, and within reasonable timeframes.

All of these issues have undergone a marked change since the year 2000 and have seen significant setbacks over the past decade. Some describe this period as the beginning of the “third wave of autocratization.”

In a democratic society, there is an inseparable triad in which human rights, their safeguards, and the rule of law are mutually defined and given meaning.

Advisory Opinions are vital cogs in the health of the region’s democracies, as they not only interpret the scope of the American Convention but also serve as tools that guide States toward the fulfillment of human rights at the local level.

⁸ DEMOCRACY REPORT 2026 “Unraveling The Democratic Era?” available at: [Link](#)

⁹ Op. cit., p. 9

¹⁰ Article “Low-Intensity Democracies” available at [Link](#)

We often attribute the invisibility of systematic violations and the failure to implement mechanisms that guarantee human rights in our region to the advance of reactionary groups. Notwithstanding this, there are also other factors that contribute indirectly or unintentionally to this opposition advance. This often occurs due to civil society organizations' lack of knowledge or mistrust of these mechanisms, and even their own limited capacity to engage with them and navigate their institutional and bureaucratic procedures.

The importance of participating in these processes is reflected in numerous recent Advisory Opinions, in which the involvement of civil society organizations has helped to broaden and deepen human rights standards on issues critical to our movements. Strengthening strategic alliances among civil society organizations is crucial for participating actively, collaboratively, and at all levels of discussion. This enriches the written contributions that can be submitted to the Inter-American Court of Human Rights on human rights issues to demand compliance and denounce attacks and violations.

At Akāhatā, we have been working on outreach and awareness-raising to train and update decision-makers in the justice sector, as well as in other areas and state institutions responsible for ensuring respect for and access to human rights through local public policies. At the same time, we aim to increase awareness of Advisory Opinions and their potential applications among activist movements, civil society organizations, academic institutions, NGOs, and independent activists.

The expertise of these organizations; their experiences and local records are key, timely, and above all, necessary information. It is also the way to propose, explain, and present issues that otherwise could not have been considered regarding the matters we work on, and to exert political influence in the consultations.

That is why we encourage activists to familiarize themselves with multilateral spaces and to build strategic and collaborative alliances with other coalitions, networks, and organizations to participate in Advisory processes by drafting contributions. We know that these spaces can sometimes be intimidating, but with preparation they are perfectly manageable—and even more so when working together with other activists.



AKĀHATĀ'S WORK IN ADVISORY PROCESSES



Akāhatā

Akāhatā has participated in several of the Advisory processes convened by the Inter-American Court of Human Rights (IACHR), in some cases as part of the **Coalición LGBTTTI & TS Coalition** and also in partnership with other organizations and networks.

We share an overview of the Advisory Opinions of the past decade regarding human rights from a gender and intersectionality perspective.



The request was submitted jointly by the States of Colombia and Chile, which stated that they deal with the effects of climate change on a daily basis. Colombia and Chile argued that the people most affected are often the most impoverished, as well as coastal and rural communities, and the indigenous and Afro-descendant populations. The request included questions on gender, such as the impact of climate change on women and how to ensure the work of women human rights and environmental defenders. The Advisory Opinion was published in 2025 and incorporates relevant standards on response mechanisms to climate events and disasters. Furthermore, the mention of vulnerable groups—such as people with disabilities, older adults, and LGBTI individuals—was noteworthy.

Akāhatā **submitted** a written **contribution** and **participated in the public hearing**, noting that the climate emergency sometimes creates situations that cannot be resolved immediately. When the climate emergency leads to situations requiring individuals, families, and communities to relocate and access temporary shelters, instances of neglect and rights violations frequently occur.

In this process, we worked with the Trans Feminist Association (AFET, for its acronym in Spanish) of Honduras and the Reinas de la Noche Trans Organization (OTRANS-RN, for its acronym in Spanish) of Guatemala. Central America frequently suffers the consequences of the climate emergency. We sought to draw attention to the situations of sexual violence and harassment that occur in these contexts, as was the case in Honduras, Guatemala, and Nicaragua during the humanitarian crisis caused by the impact of Hurricanes Eta and Iota in 2020.

We believe that when planning responses to the climate emergency, governments must address situations of sexual harassment and sexual violence, as well as discrimination against transgender people. They must also ensure access to antiretroviral medication and other necessary medications, including hormones, contraceptives, and safe abortion services.

We also work in partnership with organizations that advocate for the rights of people with disabilities: in Honduras, **the National Federation of Mothers, Fathers, and Families of People with Disabilities**; the **Mariposas 88 Collective** and the **Progreseño Center for Disability Services**; and with the **Vidas Paralelas Association** in **Quetzaltenango**, Guatemala.

Thanks to the collaboration in the **observations submitted**, we were able to share concrete examples of the consequences of not having infrastructure prepared for the evacuation of people with various types of disabilities during a climate emergency. The need for trained personnel to evacuate and support people on the autism spectrum, or with intellectual or psychosocial disabilities.

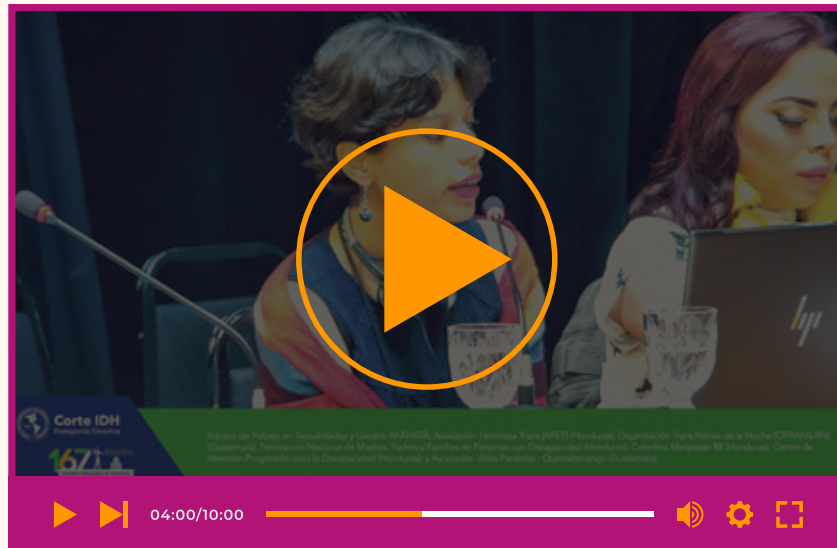
People who are blind or have limited mobility face greater difficulties when being evacuated, particularly due to the urgency required by such actions. There are people who have been trapped in their homes unable to leave, without being evacuated, and there is no warning system indicating that these people are there and need assistance. We noted that many older adults also face these types of difficulties.

We felt it was important to include these different perspectives in this contribution because often times, when people think about the climate emergency, they do not take into account a series of specific situations that severely affect people's lives. Our observations emphasized the right to health, to personal autonomy, to dignity, to reproductive rights, to sexual rights—including the right to gender identity—and the right to equality. These are useful perspectives for the Court, as well as for the governments of Chile and Colombia that drafted the request. They are useful for planning evacuations and providing shelter in shelters and refuges.

When we encounter this type of omission in petitions to the Court, we understand that it does not necessarily mean there is intentional marginalization of LGBT people, people with disabilities, or other specific populations. Sometimes, these issues and realities have not even been considered.

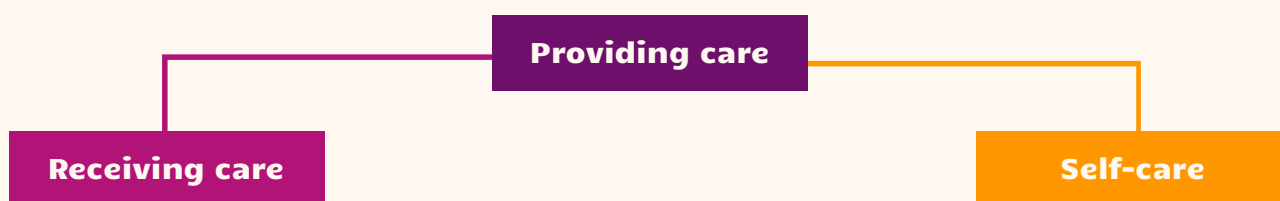


Our goal is to incorporate concrete aspects into the concept of human rights, to show the specific ways in which violations of universal rights manifest for each particular sector of the population. Behind every abstract idea, actions necessary for life are often rendered invisible, and this is where putting real experiences into words is essential.



Requested by the Argentine State in early 2023, this Opinion of the Court represents an interesting step forward. First, it recognizes care as an autonomous human right, encompassing three spheres: the right to provide care, to receive care, and to self-care. It also recognizes that care constitutes a right, a universal need, and a form of work, and that this work may or may not be remunerated. In this Opinion, the Inter-American Court of Human Rights incorporates the recognition of non-traditional family relationships, including same-sex couples and single-parent families, and broadens the understanding of forms of assistance and support, particularly in relation to persons with disabilities.

3 spheres of the right to care



The incoming government in Argentina, set to take office in December 2023, requested that the application be withdrawn, asserting that it had no interest in the subject matter of the advise submitted by the previous administration and arguing that the content of the application misrepresented the State’s obligations. It is important to note that this administration is part of the autocratic trends we highlighted earlier.

The far right attacks national and international institutions, but the Inter-American System defends its mission. The Inter-American Court of Human Rights did not grant this request and ruled that Argentina’s attempt to withdraw the request was inadmissible and that it retained jurisdiction over the advise. The highest court held that even though a State may propose the withdrawal of a request for an Advisory Opinion, such withdrawal is not binding on the Court, which may evaluate the request and decide to proceed with its consideration, as it did in this case, arguing that the people of the Americas had the right to know the Court’s opinion on the matter at hand.

Since Argentina has a legal framework that recognizes same-sex marriage, gender as a right to identity, and LGBT families, the request for an Advisory Opinion took some of these situations into account. It even mentioned the difficulties faced by older trans women and transvestites.

The submission presented by **REDTRASEX**, warns of the risk of adopting a paternalistic view of care that may limit the ability of people with disabilities to fully exercise their rights. It incorporates language and discusses sexual assistance for people with disabilities, understanding this work as part of care and thus the demand for recognition by States.

The final document does not explicitly include the term, but the Court emphasizes that the right to care for people with disabilities must be based on an approach of “support” to maximize their autonomy and not merely on passive “care,” as mentioned in the **Convention on the Rights of Persons with Disabilities**. It also states that care must ensure comprehensive well-being, including both physical and emotional aspects. In turn, people with disabilities provide care: to their children, and to other family members and/or community members.

Akãhatã participated in the process alongside the **Action Communities of the We Lead - Nosotras Lideramos** program in Guatemala and Honduras. The **observations** submitted were signed by the **Trans Feminist Association AFET** (Honduras), the **Trans Organization Queens of the Night OTRANS-RN** (Guatemala), the National Federation of Mothers, Fathers, and Families of People with Disabilities (Honduras), the **Mariposas 88 Collective** (Honduras), and the **Progreseño Center for Disability Services** (Honduras).

The submission **emphasized the caregiving burden experienced by most LGBT people** and the need to recognize new family structures that go beyond the traditional biological family and are formed as social families: these **emotional and caregiving bonds that are not determined by biological ties**. We also raised the **need to consider different options within the spectrum of reproductive rights when designing parental or caregiving leave policies**.

The observations highlight the need for **leave policies related to medically assisted reproduction treatments**; while these are outpatient procedures, service providers may be scarce and located far from the person's place of residence. There are also trans men and non-binary people who gestate. Therefore, we suggest using language that includes pre- and post-natal leave for all people who can gestate, not just for pregnant women, heterosexuals, bisexuals, or lesbians. In the case of in vitro fertilization, we were interested in including cases of surrogacy.

The document also emphasizes the care required when supporting **in vitro fertilization**, procedures, especially following embryo transfer. It also addresses **surrogacy**, cases specifically the support provided by the intended parents—both mothers and fathers—to the woman carrying the child: the surrogate, during childbirth and the postpartum period.

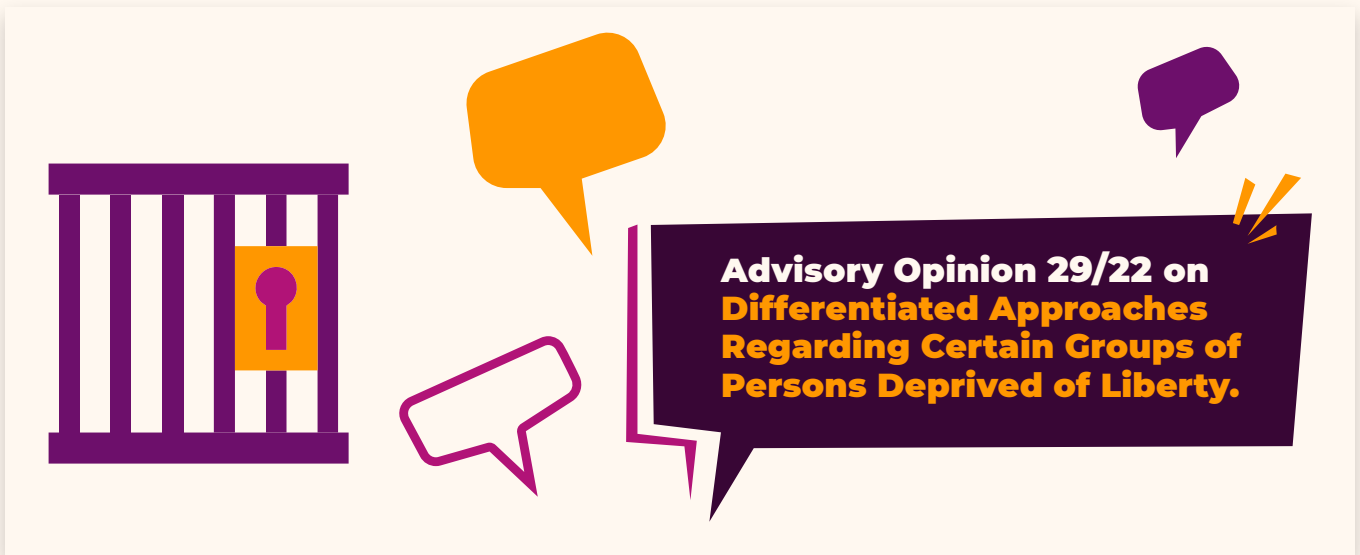
An important point in the submitted text is the introduction of the concept of **friendship as a social bond** that must also be valued and protected within the legal framework. The weakening or severing of ties with families of origin, due to migration issues or discrimination against LGBT people, impacts the distribution and provision of care for these individuals. These situations occur in large cities, where there are many migrants, both from within the same country and from abroad.

In a global context where access to housing is very difficult, there are groups of people who decide to live together to share rental costs, especially in the case of young students. In some cases, these housemates share a friendship, but in others they do not; nevertheless, they form care networks because they share daily life.

It is often thought that simply talking about LGBT families is sufficient, but the topic needs to be expanded further. For example, although we did not include it in our contribution because we do not have in-depth knowledge of those realities, other contributions highlighted the ways of forming extended families in rural, indigenous, or Afro-descendant communities.

And the result is that OC-31/25 reinforces the obligation of States to guarantee the right to care without any distinction based on family structure, ensuring that social and legal benefits are accessible and equitable for all family configurations.

In our submission to the Court, **we also addressed the issue of abortion** and the care it may require. We were also keen for the Court to know that **networks of first responders** are composed of women who provide support for outpatient abortions. This point was not included in the Advisory Opinion, but it was still important to raise it so that the Court would know that these tasks also constitute care work. It is a way to broaden the discussion on care at the community level—a level that was indeed recognized in the Advisory Opinion, but with other tasks in mind.



This Advisory Opinion was requested by the IACHR and published in May 2022. This Advisory Opinion included general considerations regarding the need to adopt differentiated measures or approaches about certain groups of persons deprived of liberty, among whom the following were expressly mentioned: pregnant women, women in labor, postpartum women, and breastfeeding women, as well as primary caregivers; children living in detention centers with their mothers or primary caregivers; LGBTI persons; members of indigenous peoples; and older adults.

The Opinion dedicates a chapter to the foreseeable risks that LGBTI people face in detention settings: violence, humiliation, and discrimination; lack of access to healthcare; and lack of connections and support networks.

During that advisory process, Akāhatā shared **specific observations** developed as part of the LGBTTTI&TS Coalition together with the **Network of LGBT Litigators of the Americas; Synergia, Initiative for Human Rights y Colombia Diversa.**

Advisory Opinion OC-29/22 incorporated the concerns and technical proposals presented. The Inter-American Court of Human Rights used these observations to transform civil society’s demands into concrete state obligations, positioning the “differentiated approach” as a mandatory tool to overcome the structural discrimination and invisibility suffered by LGBTI people in prison systems.

Below we summarize the main points that the Inter-American Court of Human Rights drew from the observations raised to develop standards for the protection of LGBTI persons deprived of liberty:

Regarding the admission of detained LGBTI individuals to prison facilities, **our organizations outlined how States must consider a person’s self-perceived gender identity when determining their placement unit.**

On this point, **the Court dedicated a specific section to the “principle of separation and the determination of an LGBTI person’s placement.” It recognizes that treatment must be based on differentiated approaches that respect gender identity.**

The Court was asked to define obligations to **prevent acts of violence that do not involve segregating LGBTI individuals** from the rest of the prison population. On this point, the Court analyzes the prevention and investigation of violent incidents under strengthened standards, noting that imprisonment creates greater vulnerability that requires specialized attention.

The observations document emphasizes the need for clear records on the different types of violence suffered by this population in prisons. In the Observations, the Court explicitly addresses obligations regarding the **recording of violence**, noting that it is an indispensable tool for identifying patterns of discrimination and fulfilling duties of prevention and investigation.

We, the organizations, recommend that **the right to conjugal visits be extended to all individuals without discrimination based on sexual orientation or gender identity**, in accordance with the Yogyakarta Principles. On this point, **the Court opined that the right to contact with the outside world and to private and family life are cornerstones of dignified treatment**, emphasizing that these rights must not be restricted by prejudice.

We raise the need for guidelines regarding medical care for transgender people, including medical treatments for HIV, as well as for those who wish to begin or continue transition processes. On this matter, the Court affirmed that States must adopt measures to guarantee access to healthcare through a differentiated approach, ensuring that LGBTI people can access services appropriate to their specific needs without suffering reprisals or threats



It was requested by the IACHR and published in 2021. This Opinion incorporated a gender perspective, including specific considerations regarding its application to LGBTI individuals and references to the situation of sex workers.

A key issue was that the questions posed to launch the consultative process had a certain cissexist-heterosexist bias. The questionnaire used the categories “men” and “women” as generic gender terms.

In the **observations submitted** by Akāhatā we noted that **the labor world is often interpreted through the lens of cisgender, heterosexual men and women**: we also pointed out that when nothing else is specified (such as “lesbian women”), the reading of “men and women” is automatically and tacitly understood as “cisgender heterosexual men and women,” and that it was therefore important to account for these rights to freedom of association, collective bargaining, and the right to strike, explicitly including LGBT people within the gender perspective. For this reason, we decided to bring this to the Court’s attention and asserted that the gender approach employed was insufficient

In response to this concern, **the Inter-American Court of Human Rights established that, although the consultation focuses on women, the gender perspective must be inclusive of other vulnerable groups, such as LGBTI people**. In this way, the standard of protection against discrimination based on sexual orientation or gender identity is integrated into the analysis of trade union rights

One issue we raised concerned women’s strikes, or feminist strikes, which at the time the request for a preliminary opinion was filed, were taking place in various regions, including several Latin American countries, and raising diverse issues. Some of these mobilizations were linked to violence and femicides, others to unemployment, working conditions, lower pay for women, debt, and others focused on the need to place the issue of care on the government’s agenda.

The labor and economic dimension, in all the ways women perform work, is inherent to these strikes: but since they are not called by formally recognized labor union structures, the Women’s Strikes were not considered by the State and employers as actions protected by the right to strike.

At Akāhatā, **we believe** that expecting legitimacy to be granted through a call to strike by labor federations or unions led predominantly by men may not be viable and may even be undesirable. Therefore, we believe that **women’s strikes should have the same guarantees of the right to strike as traditional union-called strikes**. This point was not addressed in the Advisory Opinion.

We also highlight certain issues that perpetuate structural discrimination and gender stereotypes that reinforce heteronormative prejudices: “professional appearance”; the role of provider assigned to cisgender heterosexual men; these can lead to unjustified dismissal of LGBT individuals and/or barriers to employment.

In this regard, **the Court recognized that the persistence of gender roles and stereotypes, in both the public and private spheres, constitutes an obstacle to the full exercise of trade union rights**. It emphasized that States must adopt positive measures to address these structural causes of discrimination

We also highlight the **importance of LGBT trade union groups that demand real equality not only in access to employment but also in job security and working conditions. The Court** validated this view by noting that trade unions are an indispensable means of counterbalancing the power imbalance between workers and employers. Specifically, **it recognized the right of LGBT women workers to form organizations to address their specific issues and strive for better living conditions.**

We further argue that freedom of association cannot be viewed in isolation, but must be seen as, interconnected with the right to non-discrimination, to the free development of personality, to freedom of expression, to freedom of assembly and association, to enter into marriage or other forms of union, and to form a family. The Court concluded that freedom of association, collective bargaining, and the right to strike are interdependent and indivisible from other fundamental rights such as freedom of expression and assembly. This relationship allows organized workers to participate in matters of public interest with a collective voice.



This Opinion was requested by the State of Costa Rica and published in November 2017. The document marked a turning point in the recognition of LGBTI rights in the region.

Akāhatā **submitted observations** as part of the LGBTTTI&TS Coalition and in partnership with the **Network of LGBT Litigators of the Americas**. The Inter-American Court of Human Rights incorporated the concerns, legal arguments, and technical proposals presented and, in the “Procedure” chapter, acknowledged the contributions, noting that they were essential in informing the Court about the various issues under consultation.

Below are the main references and points of contact between the two documents:

In its observations, the **Coalition requested that the recognition of gender identity not be conditional on “pathologizing” requirements** such as surgeries, sterilizations, or medical certificates. The **Inter-American Court adopted this approach and ruled that procedures must be based solely on the applicant’s free and informed consent**, prohibiting requirements such as medical or psychological certifications or proof of surgical interventions and hormonal treatments. This ruling simultaneously underpins and legitimizes gender identity laws in several Latin American countries, which are grounded in self-perception, and establishes this as an inter-American standard.

The brief argues that the judicial process is insufficient and violates rights, suggesting swift and free administrative procedures. The Court agreed and determined that the procedure best aligned with conventional standards is one of a substantive administrative or notarial nature, which must also be expedited and tend toward being free of charge.

The observations drew attention to how the **lack of legal recognition** affects **pre-Hispanic gender identities** that do not fit within the male/female binary, specifically mentioning muxe people.

In its technical glossary¹¹, **the Court explicitly acknowledges that different cultures have terms for non-binary identities and includes the term “muxé” in its list**, thereby validating the need for a broad concept of identity that transcends the Western binary view.

Another very important point concerns **gender expression**. This dimension of people’s sexuality is often omitted from public discussion and legislation. The Court mentions gender expression several times throughout the text of the Advisory Opinion and states:

“The Inter-American Court establishes that sexual orientation and gender identity, as well as gender expression, are categories protected by the Convention.”

It is essential to incorporate this dimension, which is distinct from gender identity and sexual orientation. Thus, for example, a young cisgender heterosexual man could face discrimination because others do not consider him “masculine enough” in his manner of acting, speaking, or in his personal appearance.

We, the organizations, urge the Court not to wait for regional consensus to protect minorities, arguing that human rights cannot depend on the will of the majority. **The Inter-American Court of Human Rights took up this point and reiterated that the lack of internal consensus within countries is not a valid argument for denying or restricting the rights of LGBTI individuals**, emphasizing that its role is to refer to the international obligations undertaken under the American Convention. Consequently, it concluded that States must guarantee access to all existing legal institutions within their domestic legal systems, including marriage, to ensure the comprehensive protection of diverse families.

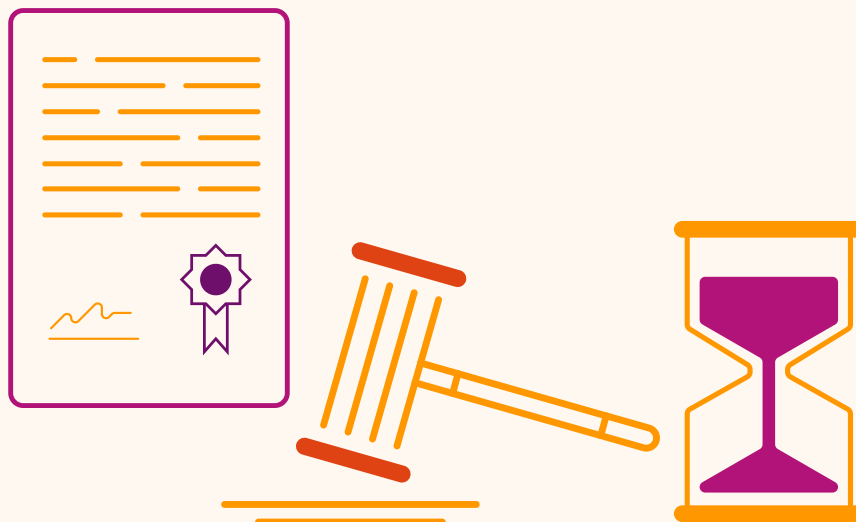
¹¹ (paragraph 32, subparagraph v)

We requested that the Court provide **a comprehensive interpretation that is not limited to property rights**, but rather protects all rights derived from family ties, including access to marriage. **On this point, the Court concluded in the Oral Communication that the Convention protects the family bond of same-sex couples under the same standards as those for heterosexual couples.** It establishes the need to guarantee access to all existing legal arrangements to avoid stigmatizing distinctions, including marriage but not limited to it; rather, it mentions social security, widow’s pensions, health-related matters, etc.

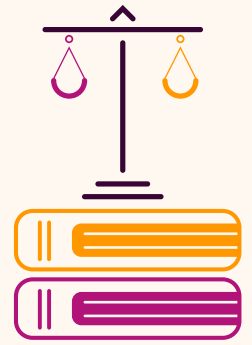
In our observations, **we requested that protection not be limited solely to the “traditional family model,” emphasizing that the foundation of family protection is the existence of a shared life, affection, and mutual solidarity, regardless of the gender of the members.**

The Court ruled that the American Convention does not protect a single family model and repeatedly cited its own 2012 ruling in the case of **Atala Riffo and Daughters v. Chile**. This is a landmark ruling for the recognition of family diversity. The Court affirmed that the family bond of same-sex couples is a social reality that must be protected, including them under the concept of family on equal terms with heterosexual couples.

We noted in the brief that the lack of legal recognition of LGBTI families (such as the lack of registration of co-motherhood or co-fatherhood) leaves children in a state of “legal limbo” that affects their access to health care and education. The Court recalled that States must safeguard the well-being of children and ensure equal rights and responsibilities for both parents, regardless of their sexual orientation.



USE OF ADVISORY OPINIONS IN RULINGS JUDICIAL



Advisory Opinions can be used to support litigation but also in other contexts. For example, to train public service teams at any level, to support legislative actions, or to advocate with national, provincial, or local executive branches to establish public policy. We share three cases that illustrate this use.



The case of **Leonela Zelaya, Honduras**

The Advisory Opinion on care and its interrelation with other human rights was published on June 12, 2025, and in October of that same year, it was cited in the **Leonela Zelaya et al. v. Honduras** judgment. **Reference is also made to Advisory Opinions 24/17, 29/22, and 08/86.**

Leonela Zelaya was a transgender sex worker who was found dead on a public street in the city of Comayagüela, Honduras. In addition to the numerous arbitrary detentions she suffered throughout her life, there was indifference from Honduran authorities in the investigation of her death, the omission of her gender identity, and the lack of protection left for the housemate with whom Leonela had lived for the last 9 years of her life.

In its ruling, the Inter-American Court cites AO 31/25 and states:

The Court emphasizes that, when referring to the right to care within the family context, it is not adopting a model of care based exclusively on a traditional structure.

First, because [...], caregiving responsibilities fall on the individual as well as the family, society, and the State.

Second, because: a) demographic and mobility trends show that families are changing; in particular, they are shrinking in size and may live apart due to phenomena such as migration; b) families may lack the means and guidance necessary to provide adequate care; c) there are circumstances in which people are not part of a family unit, as may be the case with children who are deprived of a family environment and placed in the care of the State; d) there are circumstances in which people are de facto expelled from their families of origin, as occurs, for example, in cases involving members of the LGBTIQ+ community, whose family ties may be weak due to the structural discrimination they face; and e) there are cases in which barriers have been imposed—particularly on members of the LGBTIQ+ community—to the recognition of romantic relationships, or they have been legally prevented from forming a family structure¹²

On this point, the ruling also cites AO 24/17, in which the Court states:

The emotional bond protected by the Convention is impossible to quantify or codify, which is why, since its earliest caselaw, this Court has understood the concept of family in a flexible and broad manner. The richness and diversity of the region have been reflected in the cases brought before the Court's adjudicatory jurisdiction, and this has highlighted the various family configurations that may be protected, including polygamous families [...] In the Court's view, it is not its role to distinguish the value of one family bond over another. However, this Court considers that it is indeed the obligation of States to recognize these family ties and protect them in accordance with the Convention¹³

¹² Inter-American Court of Human Rights. The Content and Scope of the Right to Care and Its Interrelation with Other Rights (Interpretation and Scope of Articles 1.1, 2, 4, 17, 19, 24, 26, and 29 of the American Convention on Human Rights; Articles 34 and 45 of the Charter of the Organization of American States; I, II, VI, XI, XII, XIV, XV, XVI, XXX, and XXXV of the American Declaration of the Rights and Duties of Man; 7, 8, and 9 of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women; Articles 1, 2, 3, 6, 7, 9, 10, 11, 13, 15, 16, 17, and 18 of the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social, and Cultural Rights; Articles 6, 9, 12, and 19 of the Inter-American Convention on the Protection of the Human Rights of Older Persons; and Article III of the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities). Advisory Opinion OC-31/25 of June 12, 2025. Series A No. 31. Para. 150.

¹³ Inter-American Court of Human Rights. Advisory Opinion OC-24/17. Op. Cit. Par. 190-191

Acquittal of 18 Trans Women Accused of Drug Trafficking, Argentina

In July 2022, Argentine Judge Sabrina Namer issued an unprecedented ruling in the Federal Courts, acquitting 18 trans women—mostly migrants—accused of selling drugs in the Constitución neighborhood of Buenos Aires.



The judge interviewed the defendants both jointly and individually and concluded that their living conditions, in a situation of extreme vulnerability, were directly related to the crime of which they were accused. All were migrants, some with high school diplomas, some with post-secondary education, and even some with college degrees; at the time of the ruling, they were between 29 and 46 years old. Almost all were living with HIV and reported having problematic substance use. Some had suffered severe infections as a result of injecting themselves at home with aviation oil to increase the volume of their buttocks. Two others who were also charged died during the preliminary investigation of the case in 2017, at the ages of 28 and 29.

In the grounds for the acquittal, case law from the Inter-American Court of Human Rights is cited, the Belém do Pará Convention, and Advisory Opinion 24/17, through references to the application of international standards on gender identity, gender expression, sexual orientation, and non-discrimination in criminal proceedings. It emphasizes that gender identity is a category protected by the American Convention and that States must adopt enhanced measures to protect these groups from structural discrimination.

The use of a gender perspective allowed the court to note that there is a historical, selective, and intensified criminalization of the transvestite/trans population, particularly linked to drug trafficking offenses, which must be taken into account when assessing criminal liability. The ruling highlights the historical criminalization of the transvestite/trans population and their situation of extreme vulnerability.

The ruling establishes that the Judiciary has a duty to apply a gender perspective in resolving cases involving trans women. This aligns with the State's international obligations to guarantee access to justice without discrimination, a central theme in inter-American standards

The ruling emphasizes the interdependence of human rights and uses the principles of the Inter-American System to acquit the accused, recognizing that their membership in the LGBTIQ+ community and their context of vulnerability require a judicial analysis that respects the standards consolidated at the regional level by AO 24/17.



The **Vicky Hernández** case, Honduras

Vicky Hernández was a transgender human rights defender and sex worker who was found dead on June 28, 2009, in San Pedro Sula, during a military curfew in the context of the coup d'état in Honduras. Vicky was a member of the Colectivo Unidad Color Rosa, an organization that defends the human rights of transgender people in Honduras and is a member of the LGBTTTI and TS with Work Coalition before the OAS.

During the investigation into her murder, Honduran authorities systematically employed gender stereotypes and biases: her gender identity was omitted, and investigative protocols were not followed that would have allowed her death to be analyzed as a possible manifestation of gender-based violence and discrimination due to her transgender identity.

The Inter-American Court of Human Rights held the Honduran State responsible for the violation of her rights to life, personal integrity, equality, non-discrimination, and recognition of gender identity, setting a historic precedent in the region.

The **ruling in the case of Vicky Hernández et al. v. Honduras**, the Inter-American Court of Human Rights uses Advisory Opinion 24/17 as the fundamental standard for defining the rights of transgender people and the obligations of States regarding gender identity. An interesting point is that the Court understands that freedom of expression includes gender expression. It states this as follows:

«Regarding the relationship between the rights to freedom in a broad sense, gender expression, the right to gender identity, and the right to privacy, this Court has indicated in other cases that the recognition of the affirmation of sexual and gender identity is protected by the American Convention in its Articles 7 and 11.2. Thus, gender and sexual identity are linked to the concept of freedom, the right to privacy, and the possibility for every human being to determine their own destiny and freely choose the options and circumstances that give meaning to their existence, in accordance with their own convictions. In this regard, the State's recognition of gender identity is of vital importance to guarantee the full enjoyment of human rights by transgender persons, including protection against violence, torture, and ill-treatment.»

The ruling establishes key concepts regarding gender identity, which it defines, following paragraph 94 of the Advisory Opinion, as “the internal and individual experience of gender as each person feels it, which may or may not correspond to the sex assigned at birth.”

It draws on the definition in paragraph 32 of the Advisory Opinion to describe gender expression as the “external manifestation of a person’s gender (clothing, way of speaking, demeanor), which is also a category protected by the American Convention.”

It reaffirms that identity is a sovereign construction of the person and should not be subject to their genitalia or medical diagnoses.

The ruling determines that the right to gender identity is protected by a combination of articles of the American Convention: the recognition of legal personality; the right to personal liberty and free development of the personality (Art. 7); protection of private life (Art. 11.2); and the right to a name (Art. 18).

As a measure of reparation, the Court orders Honduras to adopt a procedure for the recognition of gender identity that must comply with the standards of AO 24/17.

ADVISORY OPINIONS IN THE TRAINING OF STATE OFFICIALS



The Advisory Opinions (AO) of the Inter-American Court of Human Rights are of fundamental importance in the training of justice officials, as they serve as a substantive guide defining the scope of States’ international obligations.

These decisions enable magistrates (judges, prosecutors, and public defenders) to understand the meaning, purpose, and rationale of human rights norms, facilitating their effective application at the local level.

As the Inter-American Court is the supreme interpreter of the American Convention, its opinions provide authoritative guidance for resolving complex issues without the need for litigation.

Training in this area is essential for the exercise of conventionality review, an obligation that falls on all state authorities to ensure that national laws and practices are compatible with the inter-American system. In this regard, the Court has emphasized that justice officials must receive specific training to apply criteria consistent with international standards.

At Akāhatã, we have had the opportunity to work on professional development for justice officials within the judiciary system of the Autonomous City of Buenos Aires, Argentina, on international standards regarding the rights of transgender people. To this end, we highlighted the use of General Circular 24/17 on gender identity and property equality for same-sex couples, regarding access to the right to health, changes to civil registry records, filiation, health coverage, and other aspects of free personal development.

The relevance of Advisory Opinions in professional training is also evident in the following points:

Educational and preventive function: advisory opinions have an expansive purpose aimed at educating States on the risks of incurring international liability if their actions do not align with conventional interpretation.

Addressing emerging issues: they allow legal professionals to stay current on cutting-edge topics that have not yet been fully developed in litigation, such as the climate emergency, the right to care, or gender identity.

Tools for litigation and argumentation: although their use is still supplementary in some countries, advisory opinions provide arguments based on “collective wisdom” that legal practitioners can invoke to strengthen the reasoning behind their rulings.

Standardization of rights: They help harmonize judicial criteria, which is critical in federal systems to prevent inconsistent applications of the same fundamental right. Thus, professional training based on these opinions contributes to the consolidation of democracy and the rule of law, ensuring that local justice serves as the first line of defense for human dignity.





Part 4
RECOMMENDATIONS
FOR SUBMITTING
CONTRIBUTIONS
TO THE IACHR



We share some suggestions that may be useful for ensuring clarity on written submissions to guarantee the quality of advocacy before the Inter-American Court of Human Rights (IACHR).

1

Submission Formalities and Strategic Partnerships

This aspect covers not only protocol but also the institutional weight of the document.



Visual Identity and Partnerships:

The first page must include the logos of all organizations submitting the brief. While a single organization can submit an effective brief, **forming partnerships with other organizations is a strategic decision** that strengthens the political weight and legitimacy of the briefs before the Court.

Addressee:

The brief must be formally addressed to the person presiding over the Court, indicating their full name and current title.



Header information:

The header must include the date of submission and list San José, Costa Rica, as the place of submission, as it is the Court's official seat.

2

Selection of Content and Compliance with Deadlines

The effectiveness of future oral advocacy depends strictly on discipline during the written stage.



Focused Approach:

It is key to choose a limited number of topics. There is no need to address all the questions in the original request; it is advisable to focus on those you know best, where you anticipate less participation from other parties, or where you can add value through a novel approach compared to existing, more limited ones.

Strict adherence to deadlines:

It is essential to submit comments within the timeframe established by the Presidency. Failure to meet the deadline may not only prevent the Court from considering the submission but also makes it highly unlikely that the organization will be invited to participate orally in public hearings, as the Court typically gives priority to those who submitted comments in a timely and proper manner



3

Quality, Rigor, and Use of Previous Standards

The text gains strength when it is embedded within the existing legal framework of the Inter-American System.



Citation of Previous Standards:

It is highly recommended to incorporate and cite previous judgments or opinions of the Court or recommendations of the Inter-American Commission on Human Rights (IACHR) related to the subject. Linking the submission to previously adopted standards strengthens the arguments and demonstrates a technical grasp of the inter-American corpus iuris.

Documentary Support:

Every assertion must be supported by footnotes citing academic research, press releases, or reports from international organizations.



Accuracy:

A balance must be struck between information and argumentation, avoiding unnecessary repetitions that dilute the central message.

4

Validation and Conclusion

The conclusion grants the document the necessary technical credibility.



Length and signature:

There is no page limit, but strategic brevity should be prioritized. At the end, the name and signature of at least one real person and their affiliated organization must be included.

GUIDELINES FOR THE WRITTEN TEXT

KEY POINTS

REQUIREMENTS AND STRATEGIC RECOMMENDATIONS

Header and Partnerships

CSO logos (partnerships add weight!), date, location (San José, C.R.), and name of the President.

Deadlines and Hearing

Submitting the brief on time is **key to securing an oral hearing**. If you are late, you will almost certainly be excluded from the oral proceedings.

Topics

Select a few topics. Don't try to address everything; focus on what your organization knows best or on issues others won't cover.

Use of Standards

Cite **Court rulings and IACHR recommendations**. Don't make things up from scratch; connect your request to what the System has already said.

Support

Footnotes must cite verified sources.

Signature and Closing

The document must conclude with the name of the person submitting the text, the organization, and the signature of a responsible person at the end.



Part V
**HOW
TO PREPARE
FOR A HEARING**

1

STRUCTURING THE TEXT TO BE PRESENTED



1

Strict adherence to time: hearings have extremely strict and limited time frames; it is essential to prepare the text so that it ends before the microphone is turned off by the Presiding Judge. All seven judges of the Court are present at the hearing, but the session is led by the person presiding over the Court.

2

Selecting priorities and new insights: since the written submission already contains the comprehensive analysis, during an oral hearing we need to emphasize other issues. It is important to identify what our organization has to say. We must prioritize new information that is unlikely to be addressed by other organizations. Not out of vanity, but with the aim of collectively building a broad picture that includes a diversity of issues.

3

Adapting arguments to the organization's profile: if the organization is not a legal one, it is recommended not to overload the presentation with legal jargon, but rather to focus on its own thematic or social expertise. Lawyers' organizations handle this aspect very effectively.

4

Emphasis on critical issues: In highly controversial or stigmatized matters, the repetition of key points by multiple organizations is useful for demonstrating consensus and collective strength. For example, the issue of abortion (it never hurts to talk about abortion).

5

The power of real stories: briefly recounting everyday situations humanizes abstract arguments, giving them tangibility and legitimacy. Showing a real, concrete situation generates empathy among judges. It also makes the issue accessible to many people who do not necessarily oppose it, but who do not fully understand what the issue is about and how it impacts lives.

This is not about telling a personal story through emotional manipulation, but rather about sharing how the omission of certain issues affects daily life with those who have not experienced these situations and do not encounter them in their everyday lives. For example, when it comes to family diversity, explaining the legal difficulties involved in removing a child from school or making medical decisions illustrates the real impact of the lack of legal recognition

FROM THE WRITTEN TO THE STRATEGIC

The oral presentation should not be a verbatim reading of the previously submitted document, but rather a tool for political advocacy and strategic awareness-raising.

At the hearing before the Inter-American Commission on Human Rights on the Human Rights Situation of Trans Children and Obstacles to Filiation in LGBT Families in Latin America, held during the 175th session on March 6, 2020, in Port-au-Prince, Haiti, we addressed the issue of filiation and the registration of co-maternities or co-paternity.

This discussion was useful and timely for the IACHR. It came as a surprise to those at the hearing to learn that if co-maternity cannot be registered, this can result in a situation where every time a child needs to be picked up from school; every time school documents need to be signed; and every time a medical procedure—whether urgent or not—requires a signature, only one mother has legal status. This becomes even more complicated in cases where the couple has separated.



THE READING 2

Eye contact and connection: it is important to connect with the audience, and in this case, the audience is the Court. This helps get our message across.

It is key to practice pauses that allow you to look up, project your voice forward, and make eye contact with the judges. Making eye contact at least two or three times during the reading lends strength and power to the presentation.

It is also appropriate to conclude the reading with a thank you to the Court. Hearings may take place in San José, Costa Rica, at the Inter-American Court of Human Rights' headquarters, but they are generally held in another country that offers to host them.

Eloquence and fluency: the written text must be polished for speech; words that are difficult to pronounce or overly long sentences that hinder the interpreters' work and the audience's understanding should be avoided.

Practicing the text aloud helps the speaker feel more comfortable and builds their confidence.

Time management through rehearsals: The text should be read aloud several times using a stopwatch to make necessary adjustments, ensuring that the reading is measured yet efficient within the allotted time.

1

THE WORD AS AN ELEMENT OF ORATORY

Once the content is defined, the way it is communicated determines its impact on the court.

2

3

3 THE PRESENTATION



1

Socialization with other stakeholders: Interacting with other civil society representatives before the hearing helps calm nerves, reduces feelings of isolation, and allows for the identification of common goals. Whenever possible, it is beneficial to have some interaction—even if minimal—with the other presenters.

2

Support materials for the text: You should bring a printed copy of the text (formatted for easy reading, such as with large fonts or pause markers). It is advisable to have digital copies (on backup devices) in case of any unforeseen circumstances.

3

Interpretation support: Whenever possible, it is important to provide interpreters with a printed copy of the text in advance to facilitate their work and ensure the message is conveyed correctly in other languages.

4

Courteous and professional conduct: It is essential to strictly follow the instructions of the OAS staff in charge of organizing the hearings. Pay attention to the seating arrangement and the order of interventions, always maintaining a polite and attentive demeanor. Badges, flags, T-shirts with slogans, scarves, etc., are not permitted.

5

Recorded proceedings: The entire hearing is broadcast live on the [Inter-American Court of Human Rights' YouTube channel](#). It is important for the person presenting to keep this in mind in case they have any concerns about their image being recorded. **Self-care and foresight:** It is essential not to rely on the estimated duration of breaks; punctuality is essential even if there are prior delays.

Likewise, it is recommended to pay attention to personal needs; always have a glass of water on hand, use breaks to go to the bathroom, etc. These small precautions enhance personal safety during the presentation.

LOGISTICS, INTERACTION, AND SELF-CARE

The quality of advocacy also depends on managing the environment and respecting the institutional framework of the system.

CONTENT AND FORM

For a presentation before the Court to be efficient and effective, it is essential to balance what we say with how we communicate it. An oral presentation is not a reading of a written document, but a piece of strategic oratory.

DIMENSION	KEY RECOMMENDATIONS
CONTENT	<p>Prioritize</p> <p>Time is limited and strictly enforced; do not attempt to read your entire written report.</p>
	<p>Add unique value</p> <p>Choose novel information that other organizations are unlikely to mention to enrich the “collective wisdom.”</p>
	<p>Emphasize critical issues</p> <p>Identify the most contentious or stigmatized points to strengthen consensus through your statement.</p>
	<p>Humanize with stories</p> <p>Include brief anecdotes from daily life that illustrate how rights violations manifest in reality.</p>
THE FORM	<p>Write to be heard</p> <p>Draft a fluid text, polish difficult words, and make sure it sounds good when read aloud.</p>
	<p>Rehearse with a timer</p> <p>Practice several times to familiarize yourself with the text and ensure you stay within the allotted time without rushing.</p>
	<p>Manage your breathing</p> <p>Rehearsing the reading helps you control your pauses to breathe properly, preventing sentences from ending abruptly.</p>
	<p>Make eye contact</p> <p>Don’t just speak toward the table; look up and make eye contact with the judges at least two or three times.</p>
<p>Project your voice</p> <p>Project your voice forward confidently to hold the attention of the Court and the audience.</p>	

SOURCES CONSULTED AND RECOMMENDED

American Convention on Human Rights, 1969

Inter-American Court of Human Rights (2020) ABC of the Inter-American Court of Human Rights. The how, when, where, and why of the Inter-American Court of Human Rights. [Link](#)

IACHR (2023) Compendium on Democratic Institutions, the Rule of Law, and Human Rights: Inter-American Standards. OAS, 2023. [Link](#)

Inter-American Court of Human Rights Report 2024. Available at: [Link](#)

OHCHR (2014) “Civil Society Space and the United Nations Human Rights System” [Link](#)

IACHR, (2017) OC 24-17 on Gender Identity, Equality, and Non-Discrimination in Same-Sex Couples

IACHR (2021) OC 27-21 on the Rights to Freedom of Association, Collective Bargaining, and Strike, and Their Relationship to Other Rights from a Gender Perspective

IACHR (2022) OP 29-22 on Differentiated Approaches Regarding Certain Groups of Persons Deprived of Liberty

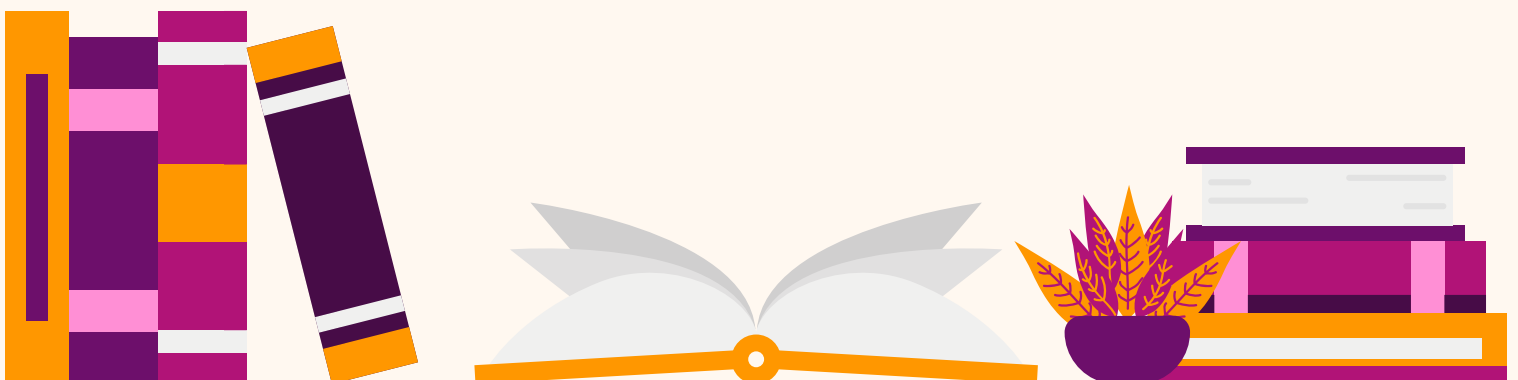
IACHR (2025) OP 31/25 on the Content and Scope of the Right to Care and Its Interrelation with Other Rights

IACHR (2025) OC 32/25 on the Climate Emergency and Human Rights

V-Dem Institute (2026) Democracy Report 2026 “Unraveling the Democratic Era?” 10th edition. Available at: [Link](#)

Promsex, Colombia Diversa, Cattrachas “¿Son vinculantes las Opiniones Consultivas?” 2020. Available at: [Link](#)

Fundación Iguales (2025) Tour de los Derechos Humanos: Guía educativa, 3ra edición. Panamá. Available at: [Link](#)

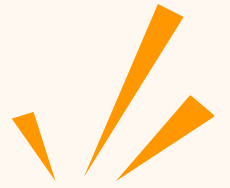




**YOUR VOICE
CAN
CHANGE
WHAT THE COURT**



SAYS



Akãhatã, 2026

