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## **REPORT No. 92/25**

### **CASE 13.606**

#### **REPORT ON FRIENDLY SETTLEMENT**

**RAIZA ISABELA SALAZAR**  
**COLOMBIA**

Approved electronically by the Commission on June 26, 2025.

**Cite as:** IACHR, Report No. 92/25, Case 13.606. Friendly Settlement. Raiza Isabela Salazar. Colombia. June 26, 2025.

**REPORT No. 92/25**  
**CASE 13.606**  
 FRIENDLY SETTLEMENT  
 RAIZA ISABELA SALAZAR  
 COLOMBIA<sup>1</sup>  
 JUNE 26, 2025

**I. SUMMARY AND RELEVANT PROCEEDINGS OF THE FRIENDLY SETTLEMENT PROCESS**

1. On September 3, 2012, the Inter-American Commission on Human Rights (hereinafter “the Commission” or “the IACHR”) received a petition filed by the Asociación Líderes en Acción, Santamaría Fundación, Germán Humberto Rincón Perfetti, Giomar Angélica Aguilar González, and Global Initiatives for Human Rights-Heartland Alliance for Human Needs & Human Rights (GIHR-HA)<sup>2</sup> (hereinafter “the petitioners”) alleging the international responsibility of the Republic of Colombia (hereinafter the “State” or “Colombian State” or “Colombia”) for violation of the human rights set forth in Articles 4 (life), 5 (humane treatment), 8 (fair trial), 11 (privacy), 13 (freedom of thought and expression), 24 (equal protection), and 25 (judicial protection), in relation to Articles 1 (obligation to respect rights) and 2 (obligation to adopt provisions of domestic law) of the American Convention on Human Rights (hereinafter the “Convention” or “American Convention”) to the detriment of Raiza Isabela Salazar (hereinafter the “alleged victim”), for the alleged failure to investigate and criminally sanction the threats, assaults, and homicide attempts against her, because of her gender identity and expression, a situation that was said to have forced her to abandon her place of residence.

2. On May 4, 2018, the Commission issued Admissibility Report No. 46/18, in which it found the petition admissible and found that it was competent to hear the claim presented by the petitioners with respect to the alleged violation of the rights set forth in Articles 4 (life), 5 (humane treatment), 8 (fair trial), 11 (privacy), 13 (freedom of thought and expression), 22 (freedom of movement and residence), 24 (equal protection), and 25 (judicial protection), contained in the American Convention, in keeping with Articles 1(1) and 2 of that treaty, and Article 7 of the Convention of Belém do Pará.

3. On December 16, 2020, the Colombian State expressed its willingness to pursue a friendly settlement in this case. On February 16, 2021, the petitioner agreed to initiate a negotiation process.

4. On March 23, 2021, the Commission notified the parties of the formal initiation of the friendly settlement procedure and on May 25, 2021, in the city of Bogotá, Colombia, the parties signed a memorandum of understanding to pursue a friendly settlement in which a timetable would be agreed upon for the negotiations.

5. In the following months, the parties held bilateral meetings to analyze the measures of reparation to be included in the friendly settlement agreement (hereinafter referred to as “FSA” or “agreement”), which was signed by the parties in the city of Bogotá on August 8, 2022.

6. On April 3, 2023, the parties signed an amendment that partially modified the content of the friendly settlement agreement and subsequently, on May 14, 2024, the parties presented a joint report on the gains in completing the FSA and asked the IACHR to approve it, which they reiterated on October 8, 2024.

7. This friendly settlement report, in keeping with Article 49 of the Convention and Article 40(5) of the Commission’s Rules of Procedure, outlines the facts alleged by the petitioners and transcribes the friendly settlement agreement, which was signed on August 8, 2022, by the petitioner party and representatives of the Colombian State. It also approves the agreement signed by the parties and agrees on the publication of the instant report in the IACHR’s Annual Report to the General Assembly of the Organization of American States.

<sup>1</sup> In accordance with Article 17(2)(a) of the Rules of Procedure of the IACHR, Commissioner Carlos Bernal Pulido, a Colombian national, did not participate in the discussion or decision on this case.

<sup>2</sup> By brief of July 12, 2017, Global Initiatives for Human Rights-Heartland Alliance for Human Needs & Human Rights (GIHR-HA) became a co-petitioner.

## II. THE FACTS ALLEGED

8. The petitioners pointed out that the petition is framed in the context of violence suffered by trans people in Colombia by individuals as well as state agents. They stated that in Colombia there is no due protection of their rights, and that although the Constitutional Court has recognized rights to the LGBTI community and has issued orders to the public authority in order to make their protection effective, such orders have been circumvented. They argued that there is a prejudiced attitude in investigations related to crimes committed against LGBTI persons, which is mainly reflected in homicide investigations, by characterizing offenses as crimes of passion, and by erroneous collection and preservation of the evidence.

9. In the aforementioned context, they claimed that the alleged victim, Raiza Isabela Salazar, is a transvestite woman who in 2001 acquired a property in the municipality of Dagua, Department of Valle, Colombia. They highlighted that since her arrival at the site, she was the victim of repeated threats from neighbors and butlers of the neighborhood, in order to force her to leave the place. They stated that this situation continued until 2005, when the threats worsened and came to be attacked with rubber bullets, receiving an impact on the head, seriously compromising one eye. They indicated that she was forced to leave her home that year, being recognized by the state as displaced. They affirmed that in 2009 she returned to reside in the property for personal reasons and, since the threats and violent acts continued, she decided to report the facts.

10. They added that in 2009, Raiza Isabela Salazar filed a criminal complaint with the Office of the Prosecutor and went to the *Personería de Cali* (Ombudsman Office in Cali) in order to receive protection. In the complaint, she alleged the repeated threats and persecution, indicating that since she arrived at the premises, her neighbors, the administrator and the steward together with their children and other relatives, "have dedicated themselves to making her life impossible" in order to force her to leave the place. In the same complaint, she denounced that she had to leave the place years ago because of the attack on her life, noting that she was wounded with a shotgun shot of pellets on her head, and detailed that in the month of October 2009 she received threats and insults, and that the accused threw garbage and horse feces, as well as rocks to her house, and that the accused entered her property by climbing on the roof, ordering her to leave, stating that they would kill her, saying first that "they were paramilitaries and then that they were with the guerrilla." They referred that in October 2009, the Ombudsman of Cali delegated the ombudsman of the Municipality of Dagua to do the follow-up of what had happened. They added that in June 2011, she filed a right of petition to the Office of the Prosecutor to report the status of her complaint, without receiving a response, and that in December of that year she presented the case to the Prosecutor of Valle through the Santamaría Foundation. She noted that her complaint was processed as a contravention, which is known to the police authorities in accordance with the National Police Code, which they alleged constitutes a discriminatory treatment, as it involves actions that threaten life and integrity, which constitutes a crime and not contravention, which differs in the severity of the offense and the graduation of penalties, the offenses being minor offenses.

11. They alleged that the State was aware of her situation since 2005 when she was granted the status of displaced by violence, and that despite having reported the facts, there has been no result in the investigations even though the persons who participated in the events have been individualized in her complaint. For the foregoing, they claimed that the exception contemplated in Article 46.2.c of the Convention is applicable given the unjustified delay in the decision of the actions undertaken. Additionally, they affirmed that, regarding the contentious administrative action referred by the State as suitable, the Commission has indicated in its decisions that said action seeks only compensation for damages caused, and that the protection requested to the Commission goes beyond this type of compensation.

## III. FRIENDLY SETTLEMENT

12. The parties signed a friendly settlement agreement on August 8, 2022, in the city of Bogotá. The text reads as follows:

## FRIENDLY SETTLEMENT AGREEMENT CASE 13.606 RAIZA ISABELA SALAZAR

On September 8, 2022, a meeting was held in the city of Bogotá between, for the first party, Susana Arango Haupt, Acting Director of the Office of International Legal Defense of the National Agency for Legal Defense of the State, who is duly authorized to act on behalf of and in representation of the Colombian State, hereinafter the “State” or the “Colombian State,” and for the second party, Asociación Líderes en Acción, Santamaría Fundación, Germán Humberto Rincón Perfetti, and Synergía–Initiatives for Human Rights,<sup>3</sup> who hereinafter shall be called “the petitioners,” have decided to sign this friendly settlement agreement in the context of Case 13.606, Raiza Isabela Salazar, before the Inter-American Commission on Human Rights.

### PART ONE: DEFINITIONS

For the purposes of this Agreement, the following definitions are adopted:

**IACHR or Inter-American Commission:** Inter-American Commission on Human Rights.

**Moral damages:** Harmful effects of the facts of the case that are not economic or property-related, which are manifested through the pain, suffering, sadness, anguish, and anxiety of the victims.

**Non-pecuniary damages:** Includes the suffering and affliction caused the victims, the damage to values that are very significant for the persons, as well as the alterations, non-monetary in nature, to the living conditions of the victim or his or her family.<sup>4</sup>

**State or Colombian State:** In keeping with public international law, it shall be understood to be the person that is a signatory to the American Convention on Human Rights, hereinafter “American Convention” or “ACHR.”

**The Petitioners:** Asociación Líderes en Acción, Santamaría Fundación, Germán Humberto Rincón Perfetti, and Synergía – Initiatives for Human Rights.

**Measures of satisfaction:** Non-monetary measures whose aim is to seek the victims’ recovery from the harm that has been caused them. Some examples of this modality of measures are public knowledge of the truth and acts of reparation.

**Parties:** The Colombian State, Raiza Isabela Salazar, and the petitioners.

**Acknowledgement of responsibility:** Acceptance of the acts and omissions attributed to the State and that violate one or more of its obligations under international human rights law.

**Integral reparation:** All those measures that objectively and symbolically restore the victim to the situation prior to the commission of the harmful acts.

**Friendly Settlement:** Alternative dispute settlement mechanism, used for the peaceful and consensus-based settlement before the Inter-American Commission on Human Rights.

**Victim:** Ms. Raiza Isabela Salazar.

### PART TWO: ANTECEDENTS BEFORE THE INTER-AMERICAN HUMAN RIGHTS SYSTEM

1. On September 3, 2012, the IACHR received a petition in which it was alleged that Raiza Isabela Salazar acquired a property in the municipality of Dagua, department of Valle del Cauca, in 2001, that since she arrived, she was the victim of repeated threats by neighbors and the administrator of the condominium, with the aim of getting her to leave because she is a trans woman.

<sup>3</sup> Synergía – Initiatives for Human Rights appears as co-petitioner.

<sup>4</sup> I/A Court HR. Case of Caesar v. Trinidad and Tobago (Merits, Reparations and Costs). Judgment of March 11, Series C No. 123, para. 125.

2. The petition affirms that this situation continued until 2005, when they attacked her with blank bullets, causing serious injuries, due to which she was forced to leave the place that year.

3. In addition, it is stated that in 2009 Raiza Isabela Salazar decided to return to her property. Nonetheless, she continued to be the victim of threats and violent acts, thus she decided to present the respective complaint to the Office of the Attorney General of the Nation. In addition, it is noted that Ms. Raiza Isabela Salazar filed a request for information (*derecho de petición*) with the Office of the Attorney General of the Nation in June 2011, to be informed of the status of the complaint, yet she received no response.

4. The petition stated that her complaint was treated as a contravention, and so considered by the police authorities, according to the National Police Code. It is alleged that this constituted discriminatory treatment since the facts referred to actions that attacked her life and integrity.

5. According to the petition, Ms. Raiza Isabela Salazar sought protection from the Office of the Municipal Ombudsperson (Personería Municipal) of Cali. The ombudsperson of Cali delegated follow-up to the municipal ombudsperson of the municipality of Dagua.

6. The petitioner alleges that in December 2011 Ms. Raiza Isabela Salazar presented the case to the Procurator of Valle del Cauca through the Santamaría Fundación.

7. In light of the foregoing, the international complaint alleges that the State had knowledge of the situation since 2005 and has not pursued criminal investigations despite the persons who participated in the acts denounced having been individually identified.

### **PART THREE: BENEFICIARY**

The Colombian State recognizes as the victim in this agreement Ms. **Raiza Isabela Salazar**,<sup>5</sup> identified by national ID number [...].

### **PART FOUR: RECOGNITION OF RESPONSIBILITY**

The Colombian State recognizes its international responsibility, by way of omission, for violating the rights recognized in Articles 8 (fair trial) and 25 (judicial protection) of the American Convention in relation to Article 1(1) of the same instrument (obligation to ensure rights), to the detriment of Ms. Raiza Isabela Salazar, for the failure to investigate the facts, which stemmed from the failure to identify, prosecute, and punish the perpetrators.

### **PART FIVE: MEASURES OF SATISFACTION**

The Colombian State undertakes to carry out the following measures of satisfaction:

#### **I. Ceremony for Recognition of Responsibility:**

The Colombian State shall carry out a Public Ceremony for Recognition of Responsibility, in person, in the city of Cali (Valle de Cauca), with the participation of Raiza Isabela Salazar, her mother, and her representatives. The ceremony shall be carried out in keeping with the recognition of responsibility noted in this Agreement. This measure shall be entrusted to the National Agency for Legal Defense of the State.

The National Agency for Legal Defense of the State undertakes to:

- Disseminate one (1) graphic piece with the information prior to the Ceremony on social networks (Twitter, Facebook and LinkedIn) at the website of the National Agency for Legal Defense of the State.
- Broadcast the Ceremony live on the “YouTube” channel of the National Agency for Legal Defense of the State.

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<sup>5</sup> Through the joint note of October 8, 2024, the parties asked the Commission to keep under seal the name of the victim to which this footnote in the original friendly settlement agreement refers, as indicated in her identity document.

- Publish the video of the Ceremony on the YouTube channel of the Agency and disseminate it on the Entity's social networks so that it can be shared.
- Issue a press release after the Ceremony to be sent to different media outlets.<sup>6</sup> In addition, the press release shall be published in social networks and the Agency's website with a link to the video on the YouTube platform.

## II. Publication of the Article 49 Report:

The Colombian State shall publish the relevant sections of the friendly settlement report once it is approved by the Inter-American Commission at the website of the National Agency for Legal Defense of the State, for six (6) months.

## III. Memory

The Ministry of Culture – under the laws in force on state contracting, and once the Ministry of Finance and Public Credit sends the resources to it – shall contract the Santamaría Fundación for the following: **(i)** A mobile table and a sculpture in the form of a heel to uphold the memory and dignification of the trans population as a collective subject of rights and special protection; **(ii)** one (1) photographer who will conduct one (1) photography session with trans women, with their consent, that will be placed in the sculpture in the form of a heel;<sup>7</sup> **(iii)** fifty (50) physical informational brochures that contain an image of Raiza Isabela Salazar that make reference to the friendly settlement agreement signed; **(iv)** one (1) Trans artistic expression that reflects and recognizes the struggle for the dignity and the slogan of rights of Trans people, which will be presented at the closing of the Public Act of Recognition of Responsibility.

The State shall deliver to the petitioners the mobile table and the sculpture in the form of a heel in the Public Ceremony of Recognition of Responsibility. The petitioners shall take charge of maintaining and conserving the mobile table and the sculpture.

The resources that the Ministry of Culture will forward to the Santamaría Fundación shall be in the amount of up to fifty million pesos (\$50,000,000.00), which should be used to carry out the measures mentioned in sections (i), (ii), (iii), and (iv) of this clause.<sup>8</sup>

## PART SIX: MEASURES OF NON-REPETITION

The National Civil Registry Office requested technical cooperation from the Universal Civil Identity Program in the Americas (Spanish acronym PUICA) of the Organization of American States (OAS) to produce the content, design, and construction of pedagogical material to raise awareness about and provide training on gender identity, equality, and non-discrimination against persons with diverse gender identities. In addition, the support of PUICA was requested for developing trainings with experts on this issue directed to technical and professional staff of the National Civil Registry Office. This will raise awareness among public servants as to how to handle and treat these cases, with respect for human rights, the right to an identity, and the right to free development of the personality.<sup>9</sup>

The Universal Civil Identity Program in the Americas (PUICA) agreed to provide advisory services and technical support. Accordingly, it contracted a consultancy with the *Fundación Grupo de Acción y Apoyo a Personas Trans* (Spanish acronym GAAT), which began on June 1 and will end on August 15, 2022.<sup>10</sup> The purpose of the consultancy is to:<sup>11</sup>

- Develop a protocol for persons who request a procedure for recognition of their gender identity.
- Develop contents for a training course for officials at offices of civil registry and notaries that can be used in campaigns for raising awareness and training, both in-person and virtual.

<sup>6</sup> The National Agency for Legal Defense of the State does not undertake that the dissemination will be carried out by any media outlet.

<sup>7</sup> The content of the photographs and the location shall be agreed upon by the parties.

<sup>8</sup> Ministry of Culture, email of July 28, 2022.

<sup>9</sup> National Civil Registry Office, SP-OAI-049 of March 31, 2022.

<sup>10</sup> Organization of American States, DGPE-048/22 of April 4, 2022.

<sup>11</sup> Universal Civil Identity Program in the Americas, email of July 11, 2022.

(c) Using as a basis the Single Circular for Civil Registration and Identification (version 6), develop informational materials on the procedure for recognition of gender identity, including: (a) change of name in the birth record and citizen ID card; (b) correction of the sex entry in a birth record and citizen ID card; (c) change in the number on the citizen ID card, to be distributed to registry and notarial offices.

(d) Socialize the documents on the protocol for service and training with civil society organizations, the National Civil Registry Office, and the PUICA. The consultant contracted will not be responsible for designing or printing documents but may provide advisory services on the relevance of the graphic elements to be used.

(e) Coordinate the necessary communications with the National Civil Registry Office with the project manager so as to develop a document in keeping with the particular needs of the requesting entity.

(f) Participate in at least four trainings for officials of registries and notarial offices in the territory of Colombia.

As this measure is already being implemented, the State undertakes to monitor its implementation and report to the petitioner and the Inter-American Commission on the results of the consultancy.<sup>12</sup>

In addition, the Superintendency of Notarial Offices and Registry undertakes to instruct the notaries to perform civil registry functions based on the provisions that are part of the core constitutional provisions (*el bloque de constitucionalidad*) and the guidelines issued by the National Civil Registry Office.<sup>13</sup>

In addition, the Superintendency of Notarial Offices and Registry undertakes to carry out the disciplinary investigations that are in order in those cases in which there is evidence of a violation of the rights to gender identity and equality of persons by notaries, mindful of the functions attributed to them in Law 1952 of 2019.<sup>14</sup>

## **PART SEVEN: HEALTH AND REHABILITATION MEASURES**

The Ministry of Health and Social Protection will implement the measures of rehabilitation, which consist of medical, psychological, and psychosocial health care through the General System of Social Security in Health (Spanish acronym SGSSS) and the Program of Comprehensive Psychosocial and Health Care for Victims (Spanish acronym PAPSIVI).

Adequate, timely, and priority treatment shall be guaranteed for persons who require it, after they express interest, and for the time necessary. On providing psychological treatment and psychosocial care, consideration should be given to the particular circumstances and needs of each person so as to provide family and individual treatments, depending on what is agreed upon with each of them, and after an individual evaluation.

For access to comprehensive health care, access is guaranteed in conditions of timeliness and quality to the medicines and treatments required (including physical and mental health) for the beneficiaries of the measures, in keeping with the provisions that govern the SGSSS, at the same time as they will have priority and differential care in light of their status as victims.

These measures will be implemented as of the signing of the friendly settlement agreement.<sup>15</sup>

## **PART EIGHT: MEASURES OF COMPENSATION**

The State undertakes to begin the process set out in Law 288 of 1996, “By which instruments are established to compensate harm to the victims of human rights violations based on the decisions of certain international human rights bodies.” The process shall begin once this friendly settlement agreement is approved by the issuance of the Report pursuant to Article 49 of the American Convention

<sup>12</sup> National Civil Registry Office, email of July 26, 2022.

<sup>13</sup> Superintendency of Notaries and Registry, official note SNR2022EE051718 of May 17, 2022.

<sup>14</sup> *Id.*

<sup>15</sup> Ministry of Health and Social Protection, email of July 26, 2022.



for the purpose of making reparation for the damages caused the victim because of the negative impacts generated by the facts of the current case.

The National Agency for Legal Defense of the State shall be the entity in charge of the process pursuant to Law 288 of 1996.

For the purposes of compensating the damages and verifying said compensation, one shall refer to the criteria and amounts recognized by the current case-law of the State Council.

#### **PART NINE: APPROVAL AND FOLLOW-UP**

The parties ask the Inter-American Commission to approve this Agreement and to follow up on it.

This Agreement having been read, and the parties being aware of the scope and legal content of it, it is signed on August 8, 2022.

#### **ADDENDUM TO THE FRIENDLY SETTLEMENT AGREEMENT SIGNED AUGUST 8, 2022, IN CASE 13,606 RAIZA ISABELA SALAZAR**

**First:** On August 8, 2022, the Friendly Settlement Agreement was signed in Case 13,606 Raiza Isabela Salazar.

**Second:** On August 29, 2022, Santamaría Fundación reported by email that after signing the Friendly Settlement Agreement it considered that it could not take charge of maintaining and conserving the sculpture agreed upon in section III of the fifth clause of the Agreement.

**Third:** On February 9, 2023, the parties met virtually and agreed to modify the memory measure agreed in paragraph III of the fifth clause of the Friendly Settlement Agreement.

**Fourth:** In keeping with the foregoing, the parties amend section III of the fifth clause of the Friendly Settlement Agreement, to read as follows:

#### **III. Memory**

The Ministry of Culture undertakes to provide technical and financial support to the Santamaría Fundación in the amount of FIFTY MILLION PESOS (\$50,000,000) for it to: (i) Construct a mobile work of art to lift up the memory and dignity of the trans population, as a collective subject of rights and special protection; (ii) Contract one (1) photographer who will conduct one (1) photo session with trans women, with their consent, which will be placed on the mobile;<sup>16</sup> (iii) Contract the production of fifty (50) physical information brochures that contain an image of Raiza Isabela Salazar and that make reference to the Friendly Settlement Agreement signed; (iv) Contract one (1) trans artistic expression that reflects and recognizes the struggle for dignity and the call to support the rights of trans persons, which shall be presented at the close of the Public Ceremony for Recognition of Responsibility.

This measure shall be understood to have been carried out with the issuance of the administrative act that orders implementation of the obligation hereby taken on, the forwarding of the resources to the Santamaría Fundación, and the delivery of the technical and artistic recommendations for the contracting of the goods and services financed.<sup>17</sup>

**Fifth:** All the other clauses of the Friendly Settlement Agreement not amended in this addendum shall remain the same.

For the record, signed in Bogotá, April 3, 2023.

<sup>16</sup> The content of the photographs will be agreed upon by the parties.

<sup>17</sup> Ministry of Culture, official note No. MC08188S2023 of February 17, 2023.



#### IV. DETERMINATION OF COMPATIBILITY AND COMPLIANCE

13. The IACHR reiterates that in accordance with Articles 48(1)(f) and 49 of the American Convention, the purpose of this procedure is to “reach a friendly settlement of the matter based on respect for the human rights recognized in the Convention.” The acceptance to pursue this process expresses the good faith of the State to comply with the purposes and objectives of the Convention pursuant to the principle of *pacta sunt servanda*, by which States must comply with the obligations assumed in the treaties in good faith.<sup>18</sup> It also wishes to highlight that the friendly settlement procedure set forth in the Convention allows for conclusion of individual cases in a non-contentious manner, and has proven, in cases involving a variety of countries, to provide an important vehicle for resolution that can be used by both parties.

14. The Inter-American Commission has closely followed the development of the friendly settlement achieved in the instant case and values the efforts made by both parties during the negotiation of the agreement to reach this friendly settlement, which is compatible with the object and purpose of the Convention.

15. The IACHR observes that the parties signed an addendum to the friendly settlement agreement on April 3, 2023, by which the IACHR declares, based on the will of the parties, that said addendum is an integral part of the friendly settlement agreement signed by the parties and has the corresponding legal effects, as it replaces the commitment established in section III (memory) of the fifth clause (measures of satisfaction) thereof.

16. Pursuant the ninth clause of the agreement signed by the parties, by which they asked the Commission to approve the friendly settlement agreement provided for at Article 49 of the American Convention, and taking into account the request of the parties of May 14 and October 8, 2024, to move forward with that approval, it is appropriate at this time to assess compliance with the commitments set forth in this instrument.

17. In this respect, the Commission considers that part one (concepts), part two (antecedents before the inter-American human rights system), part three (beneficiary), and part four (recognition of responsibility) of the agreement are declaratory in nature, thus compliance with them need not be supervised.

18. The Inter-American Commission values the fourth declaratory clause, which recognizes the international responsibility of the Colombian State for violating the rights to fair trial and judicial protection established at Articles 8 and 25 of the American Convention, to the detriment of Raiza Isabela Salazar, for the failure to investigate the facts, resulting in the failure to identify, prosecute, and punish the perpetrators.

19. As regards section I (ceremony for recognition of responsibility) of the fifth clause (measures of satisfaction), according to what is jointly reported by the parties, the event was held March 19, 2024, at the facilities of the Casa de Mono, in the city of Cali. The parties reported the existence of ongoing communication between the State and the petitioner by which they coordinated each of the details for carrying out the measure, such as the date and time for holding the ceremony, the logistics, and the program. In this respect, the parties produced an uncertified copy of the invitations that went out for that event, photographs of it, and the program, according to which, in addition to including a guided tour of the house and commemorative exhibition, a video was to be shown called “*Semblanza Raiza Isabela Salazar*,” which told the story of Raiza Isabela Salazar.

20. In the joint report the parties indicated that the ceremony included the participation of Raiza Isabela Salazar and remarks by her, Stefano Fabeni, executive director of Synergía, Germán Humberto Rincón Perfetti, and Déborah Skenassy, director of the Santamaría Fundación. According to what was reported, the ceremony was presided over by the Acting Director General of the National Agency for Legal Defense of the State and included remarks by the Acting Vice-Minister for Heritage, Memories, and Cultural Governance, and

<sup>18</sup> Vienna Convention on the Law of Treaties, U.N. Doc A/CONF.39/27 (1969), Article 26: “**Pacta sunt servanda**” Every treaty in force is binding upon the parties to it and must be performed by them in good faith.

the Vice-Minister for the Arts and the Cultural and Creative Economy. In addition, the Executive Secretary for Petitions and Cases of the IACHR, Jorge Humberto Meza, accompanied the parties at this event.

21. In its remarks the Colombian State, through the Acting Director of the National Agency for Legal Defense of the State, indicated as follows:

[...]

An apology does not make sense if there is no context but above all if there is no sentiment. Raiza Isabela Salazar is a trans woman, from Valle del Cauca, a stylist, a citizen, and part of this society who has been the victim of multiple attacks by her neighbor and her social setting in a country that has been the victim of an armed conflict. Raiza has been a victim of a twofold type of violence, the violence that has been part and parcel of that context of conflict, and the violence of a society that is oftentimes merciless, indifferent, and denigrating....

The State today has come to recognize its international responsibility for the failure to adopt measures, specifically for not having provided her with fair trial. The State had the obligation to investigate, prosecute, and punish those responsible for violating her fundamental rights, and the truth, and we came late. We came late to that painful search for the truth and justice that Raiza has undertaken all these years.

This ceremony of recognition itself should remind us of the life of a woman from Valle del Cauca who has struggled for her happiness and that of persons with diverse gender orientations, expressions, and identities, a marvelous stylist, a model ... worker and lover of nature, a woman who has struggled emphatically for the rights of all trans persons in our country, a woman ... who has made the invisible visible. Your bravery, your courage and your voice could not be silenced and have helped you resist, denounce, and cry out for justice. Your mettle, Raiza, reflects your commitment to disseminate, defense, make accessible, and promote human rights.

... Your case is just one of so many that, regrettably, trans persons face daily in our country. This ceremony required rigorous preparation and a constant dialogue, for it was not simple to think about reparation for Raiza Isabela Salazar without considering its impact on the entire trans population and on our society as a whole. It was also a real challenge for this institutional framework to create measures that had never before been implemented, but what we knew from the beginning ... is that this ceremony and its measures for memory should generate a true cultural transformation in our country that it be an opportunity to give visibility, with and through art, to the resistance, struggle, and dignity of Raiza and all trans persons in Colombia.

... Accordingly, in representation of the Colombian State and with a profound sense of respect, as the Acting Director General of the National Agency for Legal Defense of the State, I recognize the international responsibility of the State for the violation of the rights to judicial guarantees and to judicial protection, enshrined in Articles 8 and 25 of the American Convention on Human Rights, in relation to Article 1(1) of the same instrument, to the detriment of Raiza Isabela Salazar.

Today, March 19, the date that marks the beginning of Trans Visibility Week: Memory and Reparation, the Colombian State profoundly regrets these acts, and I apologize to Raiza Isabela Salazar for the lack of access to justice and the damages cause by this. For having arrived late, Raiza.

[...]

22. The Assistant Executive Secretary for Petitions and Cases of the IACHR, who participated virtually in the ceremony, stated as follows in his remarks:

[...]

It is an honor for me, and it is an honor for the Inter-American Commission to join you in this space of commemoration and vindication of Raiza Salazar's struggle in the face of the violations she has suffered; and at the same time, it marks the beginning of the celebrations in the context of the week for Trans Visibility: Memory and Reparation.

The Commission values the recognition of international responsibility and the apology made on this occasion by the Colombian State for the violations of human rights enshrined in the American Convention regarding fair trial and judicial protection, to the detriment of Ms. Raiza Isabela Salazar due to the failure to investigate the attacks and threats to which she was subjected, all of which resulted in the failure to identify, prosecute, and punish the persons responsible for these acts and, in general, the situation of impunity in this case.

The Commission emphasizes that this declaration made by the State is an essential step towards dignifying Raiza and trans women nationwide. We hope that the recognition of responsibility, as a key aspect of the agreement, contributes to strengthening the trust forged between the parties, and likewise we hope that the good will displayed in this ceremony is maintained until total attainment of implementation of the obligations that the Colombian State has assumed in the context of the friendly settlement agreement.

The friendly settlement mechanism of the Inter-American Commission is an alternative in the contentious procedure in which the parties involved oversee designing the strategies for reparation so that they are implemented. In this regard, the leading role that the victims play during the friendly settlement process contributes to them being the ones with the voice and with control over their own process of reparation and reflects the victims' needs and interests, and in this case in particular, for obtaining justice and reparation for Raiza Isabela.

And so in the friendly settlement agreement that brings us together today and throughout the process of negotiating it, the parties displayed a significant commitment on including, in addition to the individual measures of reparation related to the apologies, compensation, and health measures, structural components that contribute to avoiding the hate and the repetition of the acts suffered by Raiza, and which in turn have a major impact on the memory and dignity of the trans population as a collective subject of rights and special protection. The works of art that we have seen in this space reflect the strength of Raiza, of trans women, and of the organizations that accompany them.

In this regard, we very much value the opportunity to hear the voices of those who have been silenced, we become more sensitive to the pain they have had to experience, and we recognize the importance and the meaning in their lives of having safe spaces in which their voices are heard and respected....

Finally, I wish to extend these words of fraternity and accompaniment very especially to Raiza Isabela Salazar, praising her perseverance, tenacity, and dignity, that have led her to reach this crucial point in the friendly settlement process. I am also grateful for the trust placed in the friendly settlement mechanism and the facilitating role that this Commission has had.

[...]

23. The parties provided photographs of the dissemination, prior to the ceremony, by the National Agency for Legal Defense of the State on the platforms X, Instagram, and LinkedIn, as well as attesting to the publication on the platform X, after the ceremony, which included the link to the video published on the institution's YouTube channel,<sup>19</sup> where the live broadcast of the ceremony is available. In this regard, in the joint note of October 8, 2024, the parties indicated that the measure fully complied with the restorative effect for the victim and her representatives, which is why they requested its declaration of total compliance with the measure. Mindful of the information provided by the parties, the Commission understands that section I (ceremony for recognition of responsible) of the fifth clause (measures of satisfaction) of the friendly settlement signed has met with full compliance, and it so finds.

24. As regards section III (memory) of the fifth clause (measures of satisfaction), modified by an amendment signed April 3, 2023, the parties provided information and a photographic record by which the Commission could verify that a mobile table was created, as a work of art, based on the photographs of several trans women. On the day of the ceremony, it was disseminated in a physical brochure that contained an image of Raiza and referred to the text of the agreement signed. In addition, the information provided by the parties

<sup>19</sup> See: National Agency for Legal Defense of the State, YouTube, Acto de Reconocimiento de Responsabilidad del Estado en el Caso Raiza Isabela Salazar. Available at: <https://www.youtube.com/watch?v=Nnfh0LP3aIQ> (last visited October 10, 2024).

enabled the Commission to verify that during the closure of the public ceremony for recognition of responsibility a cultural act was presented called *Performance poemario*. Considering the foregoing, the Commission deems that this measure of the friendly settlement agreement is fully complied with and so declares.

25. For the foregoing reasons, the IACHR concludes that sections I (ceremony for recognition of responsibility) and III (memory) of the fifth clause, on measures of satisfaction, have met with full compliance, and it so declares.

26. As regards section II (publication of the Article 49 report) of the fifth clause (measures of satisfaction) and clauses six (measures of non-repetition), seven (health and rehabilitation measures), and eight (measures of compensation) of the friendly settlement agreement, and in light of the joint request of the parties to move forward with the approval of the agreement prior to its implementation, the Commission observes that those measures must be complied with after the publication of this report, thus it considers that they are still pending of compliance, and it so declares. Considering the foregoing, the Commission will await updated information that the parties may present in the context of the stage of follow-up to the friendly settlement.

27. Accordingly, the Commission considers that sections I (ceremony for recognition of responsibility) and III (memory) of the fifth clause (measures of satisfaction) have met with full compliance, and it so declares. At the same time, the Commission considers that section II (publication of the Article 49 report) of the fifth clause (measures of satisfaction) and clauses six (measures of non-repetition), seven (health and rehabilitation measures), and eight (measures of compensation) of the friendly settlement agreement are pending compliance, and it so declares.

28. The Commission reiterates that the remaining provisions of the friendly settlement agreement are declaratory in nature, hence there is no need for the IACHR to supervise their implementation. Therefore, the Commission considers that the friendly settlement agreement has been partially implemented, and it will continue supervising implementation of the clauses mentioned above until they are fully implemented.

## **V. CONCLUSIONS**

29. Based on the foregoing and in keeping with the procedure provided for in Articles 48(1)(f) and 49 of the American Convention, the Commission would like to reiterate its profound appreciation of the efforts made by the parties and its satisfaction that a friendly settlement has been arrived at in the present case on the basis of respect for human rights and consistent with the object and purpose of the American Convention.

30. Based on the considerations and conclusions contained in this report,

## **THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS**

### **DECIDES:**

1. To approve the terms of the agreement signed by the parties on August 8, 2022, as well as the amendment to the friendly settlement agreement signed by the parties on April 3, 2023.

2. To find that the amendment to the friendly settlement agreement of April 3, 2023, is an integral part of the friendly settlement agreement.

3. To declare full compliance with sections I (ceremony for recognition of responsibility) and III (memory) of the fifth clause (measures of satisfaction) of the friendly settlement agreement, as per the analysis set forth in this report.

4. To declare section II (publication of the Article 49 report) of the fifth clause (measures of satisfaction) and clauses six (measures of non-repetition), seven (health and rehabilitation measures), and eight (measures of compensation) of the friendly settlement agreement to be pending compliance, as per the analysis contained in this report.

5. To continue supervising the commitments taken on in section II (publication of the Article 49 report) of the fifth clause (measures of satisfaction) and clauses six (measures of non-repetition), seven (health and rehabilitation measures), and eight (measures of compensation) of the friendly settlement agreement, as per the analysis contained in this report. To that end, the Commission reminds the parties of their commitment to report periodically to the IACHR regarding their compliance.

6. To make this report public and include it in its Annual Report to the General Assembly of the OAS.

Approved by the Inter-American Commission on Human Rights on the 26th day of June 2025. (Signed): José Luis Caballero Ochoa, President; Andrea Pochak, First Vice President; Arif Bulkan, Second Vice President; Edgar Stuardo Ralón Orellana, Gloria Monique de Mees, and Roberta Clarke, members of the Commission.