

**TECHNICAL INFORMATION SHEET**  
**CASE 13.869 SILVIA MÓNICA SEVERINI**  
**FRIENDLY SETTLEMENT REPORT No. [349/22](#)**  
**TOTAL COMPLIANCE**  
**(ARGENTINA)**

**I. SUMMARY OF THE CASE**

**Victim(s):** Silvia Mónica Severini  
**Petitioner(s):** Elena Carmen Moreno y Myriam Carsen  
**State** Argentina  
**Date of start of negotiations:** February 9, 2022  
**Date of signature of FSA:** February 23, 2022  
**Admissibility Report N°:** [192/19](#)  
**Friendly settlement agreement report No.:** [349/22](#) published on December 11, 2022  
**Estimated duration of the negotiation phase:** 14 days  
**Related Rapporteurship:** N/A  
**Topics:** Judicial Guarantees / Equality before the Law/ Judicial Protection

**Facts:** The petitioners indicate that Silvia Severini was forced to leave Argentina in 1976, together with her family, as a result of the circumstances and as the only alternative to safeguard her freedom and integrity. The petitioners submit that before her exile, the alleged victim had been subject to persecution and threats by the military dictatorship as a consequence of her political activism, her husband's and their families. In this regard, they point out that Silvia Severini was detained twice because of her role as a student and political activist: the first in 1972 when she was prosecuted under Law No. 17.401, and in 1974, when she was arrested and prosecuted for the alleged commission of criminal damage offenses and resistance to authority in the context of a protest held at the Universidad Tecnológica Nacional. In addition, she had been dismissed from her position at the School of Philosophy and Letters of the National University of Buenos Aires, threatened and her application for a passport had been denied.

**Rights declared admissible:** On December 6, 2019, the IACHR declared the petition admissible in relation to articles 8 (fair trial), 24 (equality before the law) and 25 (judicial protection) of the American Convention in relation to article 1.1 (obligation to respect rights).

**II. PROCEDURAL ACTIVITY**

1. On February 23, 2022, the parties signed a friendly settlement agreement.
2. On December 11, 2022, the Commission approved the friendly settlement agreement in Report No. [349/22](#).

### III. ANALYSIS OF COMPLIANCE WITH THE CLAUSES OF THE FRIENDLY SETTLEMENT

Clause of the Agreement	Status of Implementation
<b>II. Measures to be adopted</b>	
1. The parties agree that pecuniary compensation will be granted in accordance with the scheme provided in Law No. 24,043, to which end the entire period during which Mrs. Silvia Mónica Severini remained in forced exile will be considered, in keeping with opinion IF-2022-08499390-APN-SSPYEIDH#MJ. That is, from January 11, 1977, to October 28, 1983.	<b>Total<sup>1</sup></b>
2. The Argentine State undertakes that, within three (3) months from the publication in the Official Gazette of the Argentine Republic of the executive decree approving this agreement, a ministerial resolution will be issued granting the reparation benefit provided for in Law No. 24,043, without any additional costs or expenses. The amount of the reparation will be calculated at the date of issuance of said ministerial resolution.	<b>Total<sup>2</sup></b>
3. The State also undertakes to comply with the term of Article 30 of the regulations on Chapter V of Law No. 25,344, as provided in Executive Decree No. 1116/2000.	<b>Total<sup>3</sup></b>
4. Upon payment of the reparation provided for in section II.2 of this agreement, the petitioners permanently and irrevocably waive the right to bring any other financial claim against the State in relation to the facts that gave rise to this case.	<b>Declarative clause</b>

#### IV. LEVEL OF COMPLIANCE OF THE CASE

3. The Commission declared full compliance with the case and the ceasing of the follow-up of the friendly settlement agreement in the 2023 Annual Report.

#### V. INDIVIDUAL AND STRUCTURAL OUTCOMES OF THE CASE

##### A. Individual outcomes of the case

- On October 21, 2022, the Minister of Justice and Human Rights of the Nation issued resolution RESOL-2022-1594-APNMJ by which it resolved to grant Silvia Severini the benefit provided by Law No. 24.043, as well as establishing the days for which compensation was due and the appropriate compensation amount.
- On May 23, 2022, the settlement registered under Number 19707 was carried out by the Reparation Law Payment Unit and the corresponding Instruction for the Payment of Benefits and Compensation was issued for pecuniary reparation in accordance with the arrangements established by Law No. 24,043.

<sup>1</sup> See IACHR, *Annual Report 2023*, Chapter II, Section C. Advances and regressions on negotiation and Implementation of Friendly Settlement Agreements. Available at: [https://www.oas.org/en/iachr/docs/annual/2023/chapters/IA2023\\_Cap\\_2\\_ENG.PDF](https://www.oas.org/en/iachr/docs/annual/2023/chapters/IA2023_Cap_2_ENG.PDF)

<sup>2</sup> IACHR, Report No. 349/22, Case 13.869 [Friendly Settlement], Silvia Mónica Severini, Argentina, December 11, 2022. Available at: [https://www.oas.org/en/iachr/decisions/2022/ARSA\\_13.869\\_EN.PDF](https://www.oas.org/en/iachr/decisions/2022/ARSA_13.869_EN.PDF)

<sup>3</sup> See IACHR, *Annual Report 2023*, Chapter II, Section C. Advances and regressions on negotiation and Implementation of Friendly Settlement Agreements. Available at: [https://www.oas.org/en/iachr/docs/annual/2023/chapters/IA2023\\_Cap\\_2\\_ENG.PDF](https://www.oas.org/en/iachr/docs/annual/2023/chapters/IA2023_Cap_2_ENG.PDF)