#	Question	Answer
1	Paragraph 18 says that María Paz was taken to the Women's Prison in the Capital of Juvenlandia "a few days after" August 10, 2002. Paragraph 23 says that she was released from jail, but the only reference is that on February 5, 2004 she was no longer in custody	She was arrested on August 14, 2002 and released from custody on May 10, 2003. Her release from jail was "immediate" upon the filing of
	(paragraph 24). What were the exact dates of her arrest and her release?	the request (paragraph 23).
	At the time the inquiries were made at the Embassy of Juvenlandia about María Paz and Felicitas (paragraph 29), was María Paz in custody?	
	Bearing in mind that María Paz was granted immediate release from jail (paragraph 23), and that when she was prosecuted for murder the abortion	
	case was still at the pretrial phase (paragraph 27), what were the legal grounds for María Paz's being transferred to the women's prison for the first time	
	(paragraph 18), [where she remained] for more than a year (paragraph 24)?	
2	Paragraph 20 refers to the signing of papers for the adoption of Felicitas's son at an office. Is the office at the alleged clinic, or elsewhere? Is the man with whom they sign the papers a government employee?	The office was not on the premises of the clinic. The capacity of the man with whom they signed the papers is unknown.
3	In paragraph 29, María Paz's mother and Felicitas's boyfriend inquire about the girls' situation at the Embassy of Juvenlandia in Pobrelandia. There they are informed that there is no record of the two girls' entry into the country. Did this occur before or after María Paz's arrest in paragraph 18?	After María Paz's arrest.
	At the time the inquiries regarding María Paz and Felicitas were made at the Embassy of Juvenlandia (paragraph 29), was María Paz already in custody?	
	Would you please clarify the date(s) of the actions in Paragraph 29 (when did Maria Paz's mother and Felicitas's family report the girls' disappearance)?	
4	Did the State of Juvenlandia adopt the criterion of "jus soli" or "jus sanguinis" in defining its citizens?	Jus solis
	What is the system of nationality (jus sanguinis or jus solis) under the laws of Juvenlandia? In other words, what is the nationality of Felicitas's son? And what would be the procedure under Juvenlandian law for a	
	foreign minor to give up that child for adoption?	

5	What are the names of the parents in the adoption process of Felicitas Unzué's son?	Only the mother's name appears: Felicitas Unzué
6	Is the abortion of anencephalic fetuses legal or illegal in the country?	The Criminal Code does not specifically address the issue of anencephaly. Cases are decided in relation to the "risk to health" provided for under the Criminal Code as a permissible reason for the termination of a pregnancy. There is conflicting case law in the country. The Supreme Court has not ruled on the issue.
7	With respect to the criminal case in which María Paz was prosecuted for abortion, what considerations were taken into account in the decision to transfer her to the Women's Prison in the capital, as well as in the subsequent decision to grant her immediate release?	The decision was based on flight risk, because she was a foreigner; she did not have a domicile in the country or any other established roots; she was not employed; and she had no relatives or acquaintances in Juvenlandia.
		Her release from jail was granted "immediately" following the request. The defense argued that the Women's Association that was providing the legal services was going to provide her with a residence and the conditions to live in Juvenlandia that would allow her to appear at trial. Finally, the defense maintained that if the criteria on which her original arrest was based were recognized as valid, any person who entered the country under the same conditions in which María Paz did would be automatically held in custody if accused of a crime, which would be a discriminatory practice inconsistent with the laws of Juvenlandia that would also revictimize the girl.
		Her release from jail was granted based on the commitment of the defense to offer ties to the community, and the discrimination argument was rejected expressly and with proper substantiation.
8	Under the laws of Juvenlandia, before which authorities and under what procedure (judicial or administrative) is it possible to obtain pre-adoptive custody that can subsequently become final through adoption?	Pre-adoptive custody is provided by a judicial authority through due process of law regulated in the Code of Civil Procedure. In cases of <i>de facto</i> custody the parents are required to affirm the surrender before a judge.
	What is the procedure and what are the requirements that must be met in order for an adoption to take place in the State of Juvenlandia?	Studies are conducted (socio-environmental, psychophysical, police records and recidivism, etc.) to determine the guardians' suitability to adopt. They must present witnesses to prove their capacity and disposition to be the parents of the child, and they must express their agreement to be pre-adoptive guardians. Subsequently, they must assume the commitment to carry out their role in accordance with the law.

9	Has Juvenlandia accepted or recognized the contentious jurisdiction of the Inter-American Court of Human Rights? If so, on what date?	According to the Civil Code of Juvenlandia, the guardians must file for adoption through an attorney after at least six months have elapsed; if they fail to do so, they lose pre-adoptive custody. The adoption proceeding is similar to the pre-adoptive custody proceedings, although the biological parents are not part of this process. The adoptive parents agree to inform the child of the biological truth. The child's last name is changed in the adoption decree. Juvenlandia recognized the contentious jurisdiction of the Inter-American Court on December 10, 1987.
10	Paragraph 27 of the case in Spanish states that rape is an "excusa" [legal excuse] for the crime of abortion, and paragraph 27 of the case in Portuguese states that the same fact is a mitigation of the penalty. How does Juvenlandian law address the crime of abortion and what are its mitigations and exclusions from responsibility?	In Juvenlandia rape is a legal excuse for abortion and it exempts the woman and the doctor who performs it from criminal liability; it is not a mitigating circumstance at sentencing. The prosecutor argues that in order for the legal excuse to be asserted, a rape has to have been proven at trial, with a final judgment of conviction against the perpetrator (see answer below).
11	How is the direct surrender of children (de facto custody) regulated in Juvenlandia? Is there a provision for a legal adoption process in Juvenlandia, or does the de facto custody become official simply by the passing of time?	Direct (de facto) surrender is not regulated in Juvenlandia. Adoption requires a court case; it does not come about de facto as a result of the passage of time (see answer number 8).
12	Did Maria Paz and Felicitas cross the border into Juvenlandia through customs, or by a different means?	They entered at a land border crossing, since they arrived by bus. There are Immigration and Customs offices at all of Juvenlandia's border crossings.
13	With regard to the law on abortion Is abortion not allowed in general? Are there exceptions where abortion is legal according to the law of Juvenlandia (i.e. if the child was disabled and not even capable of living/a pregnancy due to rape)?	Abortion is generally not allowed in Juvenlandia. The exceptions are, for example, in cases of rape or risk to the health of the mother if there is no other way to save her (see answer below). In particular, in Juvenlandia an abortion performed by a licensed physician with the consent of the pregnant woman is not a crime when it is performed for the purpose of preventing danger to the life or health of the mother, and such danger cannot be prevented by other means; or when the pregnancy is the result of rape or of the indecent assault of a woman who is mentally disabled. In the case of the latter, the consent of the woman's legal representative must be requested for the abortion.
14	With regard to the law on adoption In Juvenlandia, up to what age of the person giving away the child do her legal guardians have to sign the adoption/pre adoptive custody papers?	18 years.

15	With regard to the abortion case, was Maria granted the right to a hearing (as in Art. 8 Para. 1 American Convention on Human Rights) in the pre-trial stage?	Yes. It was mentioned at that hearing that the pregnancy was the result of rape.
16	According to paragraph 17 of the hypothetical case, "on one occasion, government officials visited the place." Should that visit be understood as a search conducted within the context of an investigation?	It should be understood as an administrative inspection (Prophylaxis Law) conducted by police officers from the neighborhood Police Station.
17	On what date were the parties given notice of the Supreme Court judgment that denied the extraordinary appeal on procedural grounds (paragraph 37)?	April 20, 2007.
18	At what stage of the proceedings was María Paz's criminal case for abortion when the Commission determined the admissibility of the petition?	Awaiting trial. It must be taken into account that there is considerable delay in criminal trials in Juvenlandia because preference is given to those involving defendants in custody. Trials against defendants who are not in custody take many years to be held.
19	Under Juvenlandia's legal system, how does <i>de facto</i> custody become final adoption?	See Question number 8. Although it is not legally regulated, <i>de facto</i> custody in Juvenlandia is sometimes judicially converted into pre-adoptive custody with a view to adoption. After a minimum period of six months and a maximum of one year, it is possible to hold adoption proceedings that conclude with the judgment that declares the new legal status of the child as the son or daughter of the adoptive parents.
20	Under Juvenlandian law, what circumstances allow for exemption from criminal liability for the commission of the offense of abortion? Does the abortion legislation in Juvenlandia criminalize the abortion of anencephalic fetuses and those of pregnancies resulting from rape? If no, did Maria Paz	In Juvenlandia an abortion performed by a licensed physician with the consent of the pregnant woman is not a crime when it is performed for the purpose of preventing danger to the life or health of the mother, and such danger cannot be prevented by other means; or when the pregnancy is the result of rape or of the indecent assault of a woman who is mentally disabled.
	state she had been raped when indicted for abortion?	In the case of the latter, the consent of the woman's legal representative must be requested for the abortion.
		The law does not mention the abortion of anencephalic fetuses at all. It is interpreted based on the exception relating to the "health risk" to the mother. The Criminal Code also provides for a legal excuse in the event of rape/statutory rape. María Paz asserted this defense, but the prosecutor maintained that in order for the legal excuse of rape to be successful, the rape must be proven at trial and
21	How many cases of human trafficking similar to those	There are no convictions for the offense of human
	of Felicitas Unzué and María Paz Richardson are there	trafficking. It is officially reported that there are 100

	in the State of Juvenlandia?	cases open. Unofficial information points to thousands of cases and to the existence of specific corridors through which thousands of minors and adults circulate. There are documentaries and other journalistic programs that have reported on the issue.
22	What is the minimum age at which a minor can be prosecuted under the regular criminal laws in the State of Juvenlandia?	16 years.
	What is the minimum age in Juvenlandia at which persons under the age of 18 can be held criminally responsible?	
23	What is the maximum period of time legally permitted in Juvenlandia for the pretrial phase of a criminal case such as Maria Paz's case?	The Procedural Code does not establish the maximum duration of the pretrial phase. Preventive detention may last for up to two years, and may be extended for an additional two years in exceptional cases.
24	What are the legal procedures and deadlines for adoption in Juvenlandia, when it is preceded by <i>de facto</i> custody?	See answers 8 and 19. Although it is not legally regulated, <i>de facto</i> custody in Juvenlandia is sometimes converted by a court into pre-adoptive custody for purposes of adoption. After a period of time of at least six months but no more than one year has elapsed, it is possible to hold adoption proceedings that conclude with the judgment declaring the new legal status of the child as the son or daughter of the adoptive parents.
25	With respect to paragraph 35, what were the new measures that the sitting judge in Felicitas's case ordered in granting the writ of habeas corpus?	Systematic review of the print media and street ads involving the offer of sexual services; cross-checking of information; undercover agents; confidential witnesses; use of non-police law enforcement officers, and similar measures.
26	How does the immigration process work for minors in Juvenlandia? Are visas, parental consent, or other things required?	Yes. It is a long and complex procedure that cannot be undertaken by a minor without the direct participation of her parents or legal representatives.
27	In paragraph 49, the State alleges that domestic remedies were not exhausted. Is it referring to the search for Felicitas, or are there other remedies available within the judicial system of Juvenlandia? What are they?	It refers to the "exhaustion of domestic remedies" as a prerequisite for access to the inter-American system.
28	At what stage of the proceedings was the criminal abortion case against Maria Paz Richardson when the case was submitted to the Inter-American Court of Human Rights?	Awaiting trial. It must be taken into account that there is considerable delay in criminal trials in Juvenlandia because preference is given to those involving defendants in custody. Trials against defendants who are not in custody take many years to be held.
29	Do the civil laws of Juvenlandia regarding the legal capacity of persons establish any age limit for the exercise of <i>de facto</i> custody?	It is not clear to whom this question refers (whether it refers to the guardian, the person surrendering the baby, or the surrendered child). In any case, the civil laws contain the general rules on

		legal capacity derived from the Napoleonic Codes.
30	Paragraph 25 states that Maria Paz was convicted on December 10, 2004 for the murder of the man with the scarred face. Paragraph 27 states "Meanwhile, the abortion case was still at the pre-trial stage." The last sentence of paragraph 43 reads "The Supreme Court judgment that rejected the arguments set forth on behalf of Maria Paz and affirmed her conviction that was handed down on March 5, 2008." Does the conviction handed down on March 5, 2008 refer to the abortion case or her conviction for the murder of the man with the scarred face?	It refers to the murder case.
31	In regard to the International Covenant on Economic, Social, and Cultural Rights, footnote 1 states that it was signed on December 19, 1966. However, the actual document (found on the UN website) states that it was signed in New York on December 16, 1966. Please confirm we are talking about the same document. Additionally, in footnote 1, the date listed for the International Convention on the Elimination of All Forms of Racial Discrimination was stated as being signed on July 13, 1967. However, UN documents refer to this treaty as being signed on December 21, 1965, and the treaty entering into force in 1969. Please confirm we are talking about the same document.	The information comes from the official UN site. They are the same documents. The fact that the treaties are in force and were signed by Juvenlandia prior to the events of this case is not at issue.
32	Did Felicitas' authorization to travel from her parents, per paragraph 8 of the hypothetical case, consist of a	No, it was only expressed verbally.
33	written document? Does the domestic law of Juvenlandia allow for the practice of abortion in the case of anencephalic fetuses?	It does not mention it expressly. The authorization is in the case of "risk to health." See the previous answers on this issue in # 10, 15, 20 and related questions.
34	Is it known whether the State of Juvenlandia established the applicable criminal, civil, administrative, and disciplinary liabilities for the involvement of "Pirucha" (Juvenlandian woman who made the proposal to the minors), "Porota" (who traveled with them), the Customs and Immigration officers (who allowed the minors to enter the country), "Chocha" (alleged manager of the brothel) and the government employee who got the documents signed for the adoption of Felicitas's son?	No judicial or administrative cases were filed against the named individuals.
35	Is it known why, in view of the intervention of the Commission, the victims' representatives failed to reach the friendly settlement proposed by the State of Juvenlandia?	No.
36	Does the State of Juvenlandia recognize the	Juvenlandia recognized the contentious jurisdiction of

	jurisdiction of the Inter-American Court of Human Rights unconditionally?	the Inter-American Court on December 10, 1987, unconditionally.
37	Under what terms is the practice of abortion permitted in the Republic of Juvenlandia, and what requirements must be met in such situations, since paragraph 27 of the facts establishes that the abortion case went forward because there was no final conviction against the perpetrator?	See the previous answers on this issue in # 10, 15, 20 and related questions. There is a debate in the case law and in scholarly opinions: for some, a complaint alleging rape is sufficient for the assertion of the legal excuse, and for others (for example, the prosecutor in this case) a conviction is required (an interpretation that on these facts prevents the termination of the pregnancy, given the procedural timeline of a criminal rape trial).
38	At the detention center where María Paz was incarcerated, mentioned in paragraphs 18 and 23 of the facts of the case, was any distinction made between convicts and defendants in pretrial detention, and between adult and minor inmates? When María Paz was arrested, first as a result of the abortion, and later after her murder conviction, was she incarcerated with other girls or mixed in with the adult women?	It is a center for women, in which women over the age of eighteen and girls under that age are housed in different sections. There is no distinction made between defendants and convicts. She was incarcerated with female convicts and defendants under the age of 18.
39	To the extent that brothels are legal and regulated in Juvenlandia, was the purpose of the officials' visit to the brothel, referred to in paragraph 17, to investigate the establishment's compliance with Juvenlandian laws and regulations? What were the duties of the officials who visited the brothel?	Yes.
40	With regard to paragraph 34, considering the vague information Felicitas had provided to Lucio, how did the Public Prosecutor or the court come to issue a search warrant for that specific brothel?	Thanks to prior police intelligence work that was cross-checked against information provided by Lucio.
41	What documents are required to be able to enter the State of Juvenlandia? Are those documents the same in the case of minors?	An identification card or document is required (a passport is not required because it is a neighboring country). Minors must also have express permission from their parents, signed before a notary public.
42	Does the State of Juvenlandia have any direct control over or involvement in the granting of pre-adoptive custody?	Pre-adoptive custody is granted by a judge.
43	When the Juvelandian authorities filed the first court case against María Paz, which led to her transfer to the women's prison in the capital (paragraph 18), was an investigation also opened into the human trafficking of which she was a victim?	There was no complaint filed for trafficking, nor were proceedings initiated <i>sua sponte</i> .

44	Is there a regulation in Juvenlandia that allows for the incarceration of a minor in a prison facility	Art. 322 of the Juvenile Justice Act of Juvenlandia allows for it in exceptional cases, provided that adults are held separately in clearly differentiated sections and that there is no contact or communication between those sections.
45	What was the status of the person who delivered the manila envelope? Was he connected in some way to the adoptive family?	It is unknown.
46	Paragraph 26 mentions that there are specific guarantees derived from the juvenile criminal justice laws of Juvenlandia. What are these guarantees? Do they establish a minimum age for the criminal responsibility of minors, and provide for an adjustment of the sentence? Relating to the application of the juvenile criminal justice laws of Juvenlandia and the prosecutor's argument in paragraphs 25 and 44 respectively, in regard to the verification of these laws regarding sentencing, how were the juvenile laws considered in determining Maria Paz's culpability?	The juvenile justice laws of Juvenlandia recognize all of the criminal and procedural guarantees derived from general and specific human rights treaties for children that are required for due process of law. The minimum age of criminal responsibility is 16. Minors are not sentenced to incarceration for any offenses except crimes against life, crimes against physical and sexual integrity, crimes against freedom, and serious property crimes. The rules for determining the sentence to be imposed and the length of such sentence are set forth in the law (basically, the seriousness of the act, the child's behavior prior to the act, the appropriateness and proportionality of the penalty, the age of the minor, efforts to redress harm and the social reintegration of
47	Did María Paz file a criminal complaint after she was raped by the man with the scar on his face?	the adolescent). No; but she raised the issue in both of the statements she gave in the investigations against her (for the abortion and for the murder).
48	With respect to the irregular immigration status of Felicitas and Maria Paz— now that Felicitas has been located, does the State plan to deport them to Pobrelandia or are they going to remain in Juvenlandia?	María Paz must serve her sentence in Juvenlandia (there is no cooperation agreement regarding minor convicts) and Pobrelandia has a system of enforcing sentences against minors that is contrary to what is prescribed under international and regional human rights treaties. Felicitas is in the process of obtaining legal immigration status in Juvenlandia with the assistance of a State
49	What does the court examine in the appeal for the review of the conviction provided for under Juvenlandian law?	service for undocumented immigrants. In Juvenlandia a review of the conviction is admissible in extraordinary cases when a new fact is alleged, when there is a less severe criminal law, or when there is a change in the Supreme Court's case law that is more favorable to the convict.
50	To what State body did the public servants mentioned in paragraph 17 of the facts of the case belong?	They were police officers.
51	Did the authorities who had contact with María Paz	There are few programs in Juvenlandia for adolescent

	have proper training, and did they provide special services to her because of her status as a minor child?	offenders, but the ones they have are very good. Juvenlandia has received international recognition for those programs.
		María Paz participated in some of those programs for adolescent offenders when she was in jail. As a result of those activities she got in touch with the Women's' Rights Association that obtained an attorney for her.
52	Paragraph 17 states that some of the women showed signs of having been beaten. We would like to know how serious or conspicuous the injuries were, and whether the women provided any explanation with respect to those injuries.	They were significant injuries (cuts and bruises) that could not have gone unnoticed; nevertheless, no one asked them about their injuries (as the text of the case reads: "The officials did not ask any questions").
53	Does the State exercise any supervision and oversight	De facto custody is not legally regulated in Juvenlandia.
	in cases of pre-adoptive "de facto custody", including the operation of offices and individuals in charge of them, such as in the case of the "man who had them	Pre-adoptive custody is granted by a court.
	sign the papers" referred to in paragraph #20 of the Hypothetical Case?	See answers to questions 8, 11 and similar questions.
54	How many people are being prosecuted as a result of the investigations (if there were any) into human trafficking stemming from the accidental discovery mentioned in paragraph # 55 of the Hypothetical Case?	None. Upon her arrest, "Chocha" maintained that she had also been the victim of trafficking. The other individuals mentioned in the case are fugitives.
	Has there been a criminal investigation against the perpetrators, such as "Pirucha" and "Porota"?	
55	Has María Paz received specialized psychological and psychiatric treatment at the jail after being convicted of first degree murder?	María Paz has received the general treatment that all minor convicts receive.
56	How much time did María Paz spend in the Women's' Prison (for the crime of abortion)?	She was arrested on August 14, 2002 and released on May 10, 2003.
57	Would you please provide the text of Juvenlandia's criminal statute on abortion and the rape defense?	In Juvenlandia an abortion performed by a licensed physician with the consent of the pregnant woman is not a crime when it is performed for the purpose of preventing danger to the life or health of the mother, and such danger cannot be prevented by other means; or when the pregnancy is the result of rape or of the indecent assault of a woman who is mentally disabled. In the case of the latter, the consent of the woman's legal representative must be requested for the abortion. See the previous answers, in particular number 20.
		There is a debate in the case law and in scholarly opinions: for some, a complaint alleging rape is sufficient for the assertion of the legal excuse, and for

		others (for example, the prosecutor in this case) a conviction is required (an interpretation that on these facts prevents the termination of the pregnancy, given the procedural timeline of a criminal rape trial).
58	In Juvenlandia, are hospitals and health clinics run by the State?	Some are and others are not. The Health Center to which María Paz was taken was public.
59	Regarding Maria Paz's criminal abortion case that was in the pretrial stage (Paragraph 27), and taking into account the "criminal case" (Paragraph 40), what became of the criminal abortion proceedings?	Awaiting trial. It must be taken into account that there is considerable delay in criminal trials in Juvenlandia because preference is given to those involving defendants in custody. Trials against defendants who are not in custody take many years to be held.
60	Does the criminal law of Juvenlandia have a presumption of innocence?	Yes, It is a constitutional guarantee.
61	On what date did María Paz and Felicitas arrive in the capital of Juvenlandia, Tierra Soñada?	On an unspecified date at the end of March, 2002.
62	What is the juvenile criminal justice system in Juvenlandia, and on what date did it take effect?	Juvenlandia changed its juvenile criminal justice system after it adopted the Convention on the Rights of the Child. All of the articles of this treaty are developed in the Juvenile Justice Act that took effect on July 1, 1997.
63	Describe the process by which María Paz was taken to jail on the abortion charge. Was it done in accordance with Juvenlandian law, and on what date was she released from custody?	The process was conducted in accordance with the Juvenlandian Code of Criminal Procedure. María Paz was released from jail on May 10, 2003 (see answer number 13).
64	According to the Juvenlandian Code of Criminal Procedure, what is the maximum length of time the Public Ministry has at the pretrial stage before the criminal action for abortion is precluded?	The offense of abortion is punishable under the Criminal Code of Juvenlandia by a term of imprisonment ranging from one to four years. According to the Criminal Code, the criminal action is precluded by the statute of limitations once a period of time equal to the maximum possible sentence has elapsed. The Code of Criminal Procedure does not regulate the statute of limitations. The Juvenile Justice Act establishes a special five-year statute of limitations for all criminal offenses for which the maximum possible sentence exceeds five years in prison.
65	Under what circumstances is a petition for a constitutional remedy [recurso de amparo] admissible in Juvenlandia?	It is admissible against the violation of any constitutional right (including those contained in human rights treaties), except with respect to personal liberty, for which the writ of habeas corpus is specifically provided.
66	What judicial appeals can be filed by crime victims in criminal cases in Juvenlandia?	They can become complainants and participate in the criminal case in that capacity. They can also become civil plaintiffs in the criminal case to claim civil damages arising from the criminal offense.
67	Under what circumstances is abortion not criminalized in Juvenlandia?	Answered previously in number 20. In Juvenlandia an abortion performed by a licensed physician with the consent of the pregnant woman is

not a crime when it is performed for the purpose of preventing danger to the life or health of the mother, and such danger cannot be prevented by other means; or when the pregnancy is the result of rape or of the indecent assault of a woman who is mentally disabled. In the case of the latter, the consent of the woman's legal representative must be requested for the abortion.

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