



**System of  
Petitions and Cases,  
Friendly Settlements and  
Precautionary Measures**



## **CHAPTER II: THE SYSTEM OF PETITIONS AND CASES, FRIENDLY SETTLEMENTS, AND PRECAUTIONARY MEASURES**

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## **CHAPTER II**

### **THE SYSTEM OF PETITIONS AND CASES, FRIENDLY SETTLEMENTS, AND PRECAUTIONARY MEASURES**

#### **A. Introduction**

1. This chapter reflects the work of the Inter-American Commission on Human Rights (“the Commission”, “Inter-American Commission”, or “IACHR”) in 2024 with respect to its system of petitions, cases, friendly settlements, and precautionary measures, as well as its work involving the Inter-American Court of Human Rights. It contains the sections described below.

2. First, Section II describes the work related to the initial review of petitions, the admissibility and merits stages, and the archiving of petitions and cases. This section contains summaries of the most important decisions adopted by the Commission in 2024 in both its admissibility and merits reports, and the final reports published pursuant to Article 51 of the American Convention on Human Rights (ACHR). Next, it describes the activities carried out by the Commission within the framework of its policy of prioritization of petitions and cases, implemented as part of its Strategic Plan 2023-2027. It likewise describes the hearings and working meetings held by the IACHR, as well as the active transparency and information measures undertaken with the States. Finally, it indicates the steps taken for referral to the Inter-American Court.

3. Secondly, Section III develops the Commission's tasks in its friendly settlement mechanism. This part includes an analysis of the status of compliance with the recommendations in approved friendly settlement reports.

4. Third, Section IV describes the interventions made by the Commission before the Inter-American Court of Human Rights. It highlights the matters sent to this court, as well as the written observations presented in cases in process and in supervision of compliance with the judgment. Finally, it mentions appearances and participation in public and private hearings.

5. Fourth, Section V deals with the status of compliance with the recommendations issued by the Commission in the merits reports, published based on Article 47 of its Rules of Procedure and Article 51 of the ACHR.

6. Fifth, Section VI recapitulates the activities conducted by the Commission in its precautionary measures mechanism, as well as its mandate to follow up on provisional measures requested to the Inter-American Court of Human Rights.

7. Finally, Section VII presents the most representative annual statistics of the work carried out.

#### **B. Petitions and Cases**

8. The Inter-American Commission on Human Rights is the only international body in the region with the capacity to receive and process individual complaints. Its recommendations, through its articulation with the Inter-American Court, result in binding decisions for States. Beyond individual justice, these decisions have a transformative impact. Through the system of petitions and cases, the Commission has facilitated access to justice for victims of the most serious human rights violations, such as forced disappearance, torture, and extrajudicial executions. It has also declared the incompatibility of impunity figures, such as amnesty laws and statutes of limitation in the region. In addition, it has established the limitation of military criminal jurisdiction for human rights violations, while stimulating the creation of public policies and protection mechanisms for

vulnerable and historically discriminated groups. This has made it possible to deal with both structural and situational issues in the region and to achieve the progressive development of the inter-American public order. Thus, the system of petitions and cases not only benefits victims in specific matters but also has the capacity to change situations that affect human rights and generate transformative impacts, through the recommendations of the IACHR, the friendly settlement agreements approved by it or, eventually, the judgments issued by the Inter-American Court.

9. Under the terms of Articles 23 to 48 of its Rules of Procedure, proceedings before the Commission are structured by the following procedural stages: initial study or review, admissibility and merits. Under Article 40 of the Rules of Procedure, at any time during the examination of a petition or case, the parties may reach a friendly settlement based on respect for human rights. Likewise, after issuing the merits report, the Commission may decide to publish it in accordance with Article 47 of the Rules of Procedure and Article 51 of the ACHR, or to send the case to the IACHR Court for the States under its jurisdiction, in accordance with Article 51 of that treaty. Finally, during the processing of a petition or case, the Commission may decide to archive it, as provided in Article 42 of its Rules of Procedure.

10. The following is a description of the work carried out by the IACHR during 2024 in the initial review, admissibility and merits stages. It also provides information on the decisions to close the case.

### **1. Initial study or review**

11. The Commission evaluates the petitions received in accordance with Articles 26 to 34 of the IACHR Rules of Procedure. Under Article 26 of the Rules of Procedure, the initial review of petitions is conducted by the Executive Secretariat, which is responsible for the examination and initial processing of petitions.

12. In the initial review stage, using a general or *prima facie* standard, the Commission verifies that the petition meets the same admissibility and jurisdictional requirements that will be verified in the admissibility report (Article 27), the difference being that the initial review is based solely on the information provided by the petitioner, because the State is not yet a participant at this stage, since the petition has not yet been opened to proceeding. Thus, this first review is preliminary to the subsequent admissibility review. Furthermore, Article 26.2 of its Rules of Procedure authorizes the Executive Secretariat to request additional information from petitioners, if necessary, to complete a specific aspect of its petition before making a decision at this first stage.

13. Through Resolution 1/19, the IACHR has established rules providing for the possibility that in cases where a decision has been reached not to allow a petition to proceed, the petitioners may request the Executive Secretariat to reconsider it, as long as they do so under the terms specified in the resolution. The Executive Secretariat prioritizes the initial review of new petitions, periodically granting these requests for reconsideration in chronological order, as resources permit.

14. In 2024, the IACHR received a total of 2,883 petitions. In total, at the end of the year, 2,322 petitions were evaluated (80.54%), with 323 decisions to open (14%), 1,923 rejections (83%) and 76 requests for additional information (3%). This rigorous analysis enables the Commission, through its initial evaluation decisions, to safeguard the subsidiary and complementary nature of the Inter-American System, both from a procedural standpoint (when domestic remedies have not been exhausted or the granting of an exception does not apply) and a substantive one (when the acts in question clearly do not constitute a violation of rights recognized in the instruments under its jurisdiction).

15. With respect to the regular flow of new petitions, a pace of work has been maintained that allows for their evaluation within one year of receipt, thus avoiding the accumulation of delays in this first phase of the procedure. This progress is attributed to the methodology currently used by the team since the establishment of the Initial Study Section, which allows for a more agile review of cases. In addition, this section

conducts periodic reviews of portfolios from previous years to ensure that no claims are left behind and to prevent the accumulation of unstudied matters.

16. Likewise, considering that there has been more rapid progress in the initial evaluation of petitions, since previous years, the Commission has implemented measures to carry out an orderly and progressive notification of petitions with a decision to process. On this occasion, the IACHR continues to report progress related to the significant reduction of delays in the notification of petitions with a decision to process. In fact, the IACHR closes the year 2024 with 238 petitions pending notification, concerning 20 Member States of the Organization, 64% less than those reported at the close of 2023<sup>1</sup>. This was achieved thanks to the notification of 714 initiations for processing, as established in Article 30 of the Commission's Rules of Procedure. In addition, the Commission decided to archive 153 petitions at this stage, in accordance with Article 42 of the same instrument. Additional information on decisions to archive at this procedural stage will be found under the heading in this chapter devoted to the matter.

17. Chronology was the criterion primarily applied in the notifications under Article 30 of the Rules of Procedure. In turn, the prioritization criteria provided for in Article 29.2 of the Rules of Procedure continued to be applied, with one or more criteria being identified in 19% (136) of the petitions notified in that year.

18. These important achievements are the natural results of the strengthening and specialization of the team, the stabilization of the new GAIA System, the constant evaluation and improvement of internal processes, and the increasingly frequent submission of complaints by electronic means. For example, in 2024, the Commission, through its Executive Secretariat, implemented a new format for acknowledgment of receipt of new petitions that, in accordance with Article 29.1 of the IACHR Rules of Procedure, provides relevant information to the petitioning party about the filing of its complaint. Similarly, the preparation of relevant parts of recently received petitions through digital means -either through the Individual Petitions System Portal or the e-mail address intended for such purposes ([CIDHDenuncias@oas.org](mailto:CIDHDenuncias@oas.org))- was crucial for the more expeditious processing of the cases.

## 2. Admissibility and merits

19. During 2024, in accordance with Articles 30 to 36 of the Rules of Procedure and 44 to 48 of the American Convention, the Commission approved a total of 133 admissibility/inadmissibility decisions<sup>2</sup> (74 (56%) admissibility and 59 (44%) inadmissibility). In addition, 43 admissibility decisions were taken in cases where the admissibility review was deferred to the merits stage. The latter decisions are confidential, in accordance with Article 44 of the IACHR Rules of Procedure and Article 50 of the ACHR.

20. Likewise, in accordance with the provisions of Articles 37 of the Rules of Procedure, 20 of the Statute and 50 of the American Convention, the Commission adopted a total of 121 reports in which it ruled on the merits of the case. In them, it examined the international responsibility of the States in light of the international treaties under its jurisdiction and issued, when appropriate, its recommendations to make full reparation for the violations caused. Such reports are confidential, in accordance with Article 44 of the Rules of Procedure and Article 50 of the ACHR.

21. In 2024, the IACHR continued to implement Resolution 1/16, *on Measures to Reduce the Procedural Backlog in the Petition and Case System*, adopted on October 18, 2016. Thus, based on the provisions of Article 36.3 of its Rules of Procedure, the Commission notified the deferral of the processing of admissibility to the merits stage in 200 petitions, in which some of the six assumptions provided for in that resolution were

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<sup>1</sup> In 2023, the Commission closed with 664 petitions pending notification. IACHR, Annual Report 2023, [Chapter II: The System of Petitions and Cases, Friendly Settlements and Precautionary Measures](#), para. 16.

<sup>2</sup> Two of these reports (135/24 y 121/24) accumulate respectively 16 and 3 requests, which means that in the 133 reports of admissibility/inadmissibility approved in 2024, 150 requests were effectively analyzed.

met. The failure of the State concerned to submit a first response at the admissibility stage continues to be the predominant criterion applied, with 89,5% (179) of these notifications.

**a. Admissibility and inadmissibility decisions**

22. This section contains a total of 133 admissibility decisions; 74 admissibility and 59 inadmissibility decisions listed below.

No.	Name of the alleged victim	State	Report number	Date of approval	Petition or case number	Assigned Case number
1	Jesús Oviedo Sunción	Peru	2/24	3/22/2024	P-2716-18	15.474
2	Laura S. and family	United States	3/24	3/10/2024	P-776-20	15.473
3	Abdón Apaza Valer	Peru	4/24	3/11/2024	P-1915-16	15.471
4	Gabriel Damián Zárate Martínez	Paraguay	5/24	3/11/2024	P-868-18	15.472
5	Consuelo Ruiz Ramírez et al.	Peru	6/24	3/11/2024	P-1740-11	15.470
6	Carlos Luis Sandoval Castro	Costa Rica	7/24	4/15/2024	P-865-09	N/A
7	Randall Vargas Pérez	Costa Rica	12/24	4/24/2024	P-1592-11	N/A
8	Alejandro Arrieta Torres and Pablo Arrieta Torres	Costa Rica	13/24	4/24/2024	P-1676-11	N/A
9	William Alvarado Sandi	Costa Rica	14/24	4/24/2024	P-1953-12	N/A
10	Belisario Pérez Jiménez and Didier Alexander García Álvarez	Costa Rica	15/24	5/3/2024	P-519-10	N/A
11	Lawanda Collier	United States	16/24	4/29/2024	P-2240-20	N/A
12	Julio Suárez Dubernay	Dominican Republic	17/24	4/24/2024	P-153-14	N/A
13	Dimosthenis Katsigiannis Karkasi	Costa Rica	18/24	4/24/2024	P-280-21	N/A
14	Comunidad San Pablo de Amalí	Ecuador	19/24	4/24/2024	P-449-10	15.491
15	Juana Quispe Apaza and family	Bolivia	20/24	4/24/2024	P-710-21	15.495
16	A.G.C.	Costa Rica	21/24	4/24/2024	P-527-15	15.492
17	Lucero Sarria Reyes and Alón Esthewar Sarria Reyes	Colombia	22/24	4/30/2024	P-2030-13	N/A
18	Gabriel Pascual del Rosario et al.	Panama	23/24	4/30/2024	P-1176-07	15.490
19	Patience Lane Schillinger	Costa Rica	24/24	5/5/2024	P-472-10	N/A
20	Carlos Javier Martínez Ortiz	Honduras	25/24	5/6/2024	P-1314-18	15.494
21	Juan Alberto Santini Bentancourt et al.	Uruguay	26/24	4/24/2024	P-141-17	15.493
22	Raymond Mora Segura	Costa Rica	34/24	5/5/2024	P-486-17	N/A
23	Rigoberto Zárate Luna et al.	Ecuador	35/24	5/6/2024	P-2658-18	15.496
24	Mirtha Quevedo Acalinovic	Bolivia	36/24	5/6/2024	P-1500-09	N/A

25	Grandy Nanny Clan of Arawak-Maroons of Jamaica	Jamaica	54/24	5/3/2024	P-1464-22	N/A
26	Daniel Eduardo Joffe	Argentina	55/24	5/10/2024	13.983	N/A
27	Javier Ignacio Calvo Rocha et al.	Colombia	56/24	5/10/2024	P-800-13	N/A
28	Gustavo Alejandro Páez	Argentina	57/24	5/13/2024	P-2357-12	N/A
29	Edimer Bustos, Luis Alfonso Jiménez Benito and family	Colombia	58/24	5/21/2024	P-215-14	15.504
30	Edgar Eulises Torres Murillo	Colombia	59/24	5/17/2024	P-1250-13	15.502
31	Masacre de San Carlos de Guaroa	Colombia	60/24	5/16/2024	P-1995-14	15.509
32	Claudio Alexander Caiza	Colombia	61/24	5/17/2024	P-1658-13	15.539
33	Asociados de Asonacriga	Costa Rica	62/24	5/8/2024	P-2281-17	N/A
34	Homero Cabrera Roldán	Chile	63/24	5/8/2024	P-1917-17	N/A
35	Mariana Isabel Mota Cutinella	Uruguay	64/24	5/20/2024	P-2183-15	15.510
36	Luz Elena Salgado Mejía and family	Colombia	65/24	5/21/2024	13.156	N/A
37	A.S.A.H. and family	Mexico	66/24	5/16/2024	P-111-21	15.514
38	M. Z. M. et al.	Costa Rica	67/24	5/8/2024	P-326-21	15.515
39	Gilberto Ventura Ceballos	Panama	68/24	5/21/2024	P-693-21	N/A
40	César Alfonso Fraga Narváez	Colombia	69/24	5/21/2024	P-1964-13	15.503
41	Maysa Helena Alves	Brazil	70/24	5/20/2024	P-1965-15	N/A
42	Royman Ávila Cartín	Costa Rica	71/24	5/20/2024	P-541-13	N/A
43	Christian Alejandro García López	Mexico	72/24	5/29/2024	P-1104-12	15.501
44	Sebastian Moro	Bolivia	73/24	5/23/2024	P-2752-19	15.512
45	Pedro Abelardo Sandoval Sánchez	Peru	74/24	5/20/2024	P-278-14	15.505
46	A.R.H.	Colombia	75/24	6/5/2024	P-1776-20	15.513
47	Edgar Paúl Jácome Segovia et al.	Ecuador	76/24	5/31/2024	P-581-14	15.507
48	AA and BB	Brazil	77/24	6/3/2024	P-2066-17	15.511
49	Jairo Enrique Moreno Moreno	Colombia	78/24	6/5/2024	P-102-14	N/A
50	Cristina Andrea Nolzco	Argentina	79/24	6/9/2024	1030-15	N/A
51	Osvaldo Díaz Millán et al.	Mexico	80/24	6/7/2024	558-13	15.506
52	E.C.S.D.	Colombia	81/24	6/9/2024	P-2152-16	N/A
53	Marco Fabián Tapia Jara	Ecuador	82/24	6/1/2024	P-1182-14	15.508
54	Hans Georg Arnhold Filho	Brazil	83/24	6/4/2024	P-2539-16	N/A
55	Fariel Sanjuan Arévalo	Colombia	84/24	6/7/2024	P-692-14	N/A
56	Alan Raí Rehbeim de Oliveira et al.	Brazil	94/24	6/19/2024	P-170-17	15.595



57	Luis Mario Barrenechea Polanco	Peru	95/24	6/23/2024	P-1541-14	15.592
58	Joel Pérez Cárdenas and family	Colombia	96/24	6/29/2024	P-140-14	15.590
59	Mateo Grimaldo Castañeda Segovia	Peru	97/24	6/20/2024	P-1612-14	N/A
60	Carlos Sánchez Ríos et al.	Mexico	98/24	6/29/2024	P-504-14	15.591
61	Stephany Carolina Garzón Ardila and family	Ecuador	99/24	6/23/2024	P-37-20	15.597
62	David Efraín Castro Montalvo et al.	Ecuador	100/24	7/1/2024	P-1560-14	15.593
63	Magda Haase Pérez	Bolivia	101/24	7/1/2024	P-544-19	15.596
64	Mario Alfredo García Barragán and Jorge Washington Cárdenas Ramírez	Ecuador	102/24	7/1/2024	P-105-14	N/A
65	Adolescents in the custody of Socio-educational Centers in Belo Horizonte	Brazil	103/24	7/12/2024	P-2225-15	15.594
66	Miguel Ángel Dejo Lalopu	Peru	104/24	7/10/2024	P-1526-14	N/A
67	Diego Armando Heredia Monroy, Domingo Antonio Castro Zorro and family	Colombia	105/24	7/12/2024	P-461-12	15.625
68	A. R. G. and P. H. R. G.	Brazil	119/24	8/8/2024	P-1179-15	N/A
69	JJY	Ecuador	120/24	8/2/2024	P-2534-16	15.607
70	Waldo Albarracín Sánchez and others	Bolivia	121/24	8/30/2024	P-137-18, P-432-18 y P-2417-18	N/A
71	Hernán Elías Salazar Restrepo	Colombia	122/24	8/29/2024	P-639-14	15.608
72	Alfonso Quiñones Carvajal	Colombia	123/24	8/29/2024	P-340-14	N/A
73	Tulio Cortés Giraldo and family	Colombia	124/24	8/29/2024	P-301-14	N/A
74	Christian José Téllez Mejía and family	Colombia	125/24	8/29/2024	P-243-14	N/A
75	Manuel Antonio Medina Nova and others	Colombia	126/24	9/2/2024	P-834-09	N/A
76	Diego Vallejo Cevallos	Ecuador	127/24	8/30/2024	P-800-14	15.609
77		Argentina	128/24	9/3/2024	P-606-14	N/A
78	Carlos Adán Duarte	Argentina	129/24	9/2/2024	P-2363-12	15.610
79	Michael Vinicio Sánchez Araya	Costa Rica	130/24	8/30/2024	P-589-16	N/A
80	Luis Cruz Cho Tut	Guatemala	131/24	8/29/2024	P-191-08	15.611
81	Elaine Chiluiza Rodríguez de Márquez	Ecuador	132/24	7/28/2024	P-242-14	15.618
82	Mayas Q'eqchi de Chicanchiu Chipap, Chiocx, Chisek, Chitem, Samastum, Sesep and Yutbal Communities	Guatemala	133/24	9/3/2024	P-1366-13	15.619

83	Pablos Andrés Díaz Cárdenas et al.	Colombia	134/24	9/2/2024	P-291-14	15.620
84	Gonzalo Varnoux et al.	Bolivia	135/24	9/3/2024	2287-16 and others	15.690
85	Juan Esteban Castaño Saldarriaga	Colombia	136/24	9/9/2024	P-917-14	15.621
86	Guillermo Romero Ocampo	Colombia	137/24	9/9/2024	P-1442-14	N/A
87	Olaber Quijano Muñoz and family	Colombia	138/24	9/9/2024	P-466-14	15.622
88	Saulo José Posada Rada et al.	Colombia	139/24	9/9/2024	P-526-14	15.623
89	Ana Isabel Rivera Narváez et al.	Colombia	140/24	9/9/2024	P-264-14	15.624
90	Amparo Ramírez Ospina et al.	Colombia	150/24	9/16/2024	1602-14	N/A
91	Family of Carlos Julio Cárdenas Martínez	Colombia	151/24	9/20/2024	931-14	N/A
92	Family Cevallos Silva	Ecuador	152/24	9/15/2024	769-14	N/A
93	Augusto César Serna Merchan	Colombia	153/24	9/20/2024	542-13	15.631
94	Néstor Iván Moreno Rojas	Colombia	154/24	9/27/2024	1118-14	15.632
95	Nicolás del Cristo Buelvas Gutiérrez	Colombia	155/24	9/27/2024	757-14	15.633
96	William Cedano Bermúdez	Colombia	156/24	9/27/2024	875-14	15.634
97	Víctor Francisco Yáñez Cortes et al.	Bolivia	157/24	9/19/2024	2065-19	15.635
98	Julio Pájaro Ramos	Colombia	158/24	9/27/2024	677-14	15.636
99	Ricardo Schembri Carrasquilla and family	Colombia	165/24	10/24/2024	P-915-14	N/A
100	Alberto Ramón Lezcano	Argentina	166/24	10/24/2024	P-1344-09	N/A
101	Pedro César Guerrero	Argentina	167/24	10/24/2024	P-2207-12	N/A
102	Ricardo Julio Villa Salcedo and family	Colombia	168/24	10/24/2024	P-483-14	15.667
103	Virgilio Joya Bueno and Artemo Fontalvo Granados	Colombia	169/24	10/18/2024	P-918-14	15.660
104	Fernando Riveros Puentes et al.	Colombia	170/24	10/18/2024	P-902-14	N/A
105	Luis Hernando Baquero Mendieta and family	Colombia	171/24	10/18/2024	P-901-14	N/A
106	María Fabiola López Castillo	Mexico	172/24	10/18/2024	P-458-14	15.661
107	Javier Játiva García	Colombia	173/24	10/18/2024	P-1149-14	15.662
108	Members of the Awa-Guajá indigenous people	Brazil	174/24	10/18/2024	P-731-13	15.663
109	Bladimir Diaz León and family	Colombia	175/24	10/25/2024	P-399-14	15.664
110	Jhon Didier Piamba Paz and Luz Angélica Paz Bolaños	Colombia	176/24	10/24/2024	P-1694-14	N/A
111	Marisol Olaya Castañeda and family	Colombia	177/24	10/25/2024	P-974-14	15.665

112	José Antonio Durán Ariza	Colombia	178/24	10/24/2024	P-1265-14	N/A
113	Raymundo Malpica Flores	Mexico	210/24	11/19/2024	P-886-14	N/A
114	José Rodrigo Robledo Zaragoza	Mexico	211/24	11/19/2024	P-1470-14	N/A
115	Dey Germán Villareal Cadena and family	Colombia	212/24	11/19/2024	P-2040-13	N/A
116	James Colin McNaughton	Colombia	213/24	11/27/2024	P-1600-14	N/A
117	L.J.S.H and family	Colombia	214/24	11/27/2024	P-1717-18	15.693
118	Daniel Sosa García	Mexico	215/24	11/28/2024	P-1800-14	15.691
119	Filemón Medina Ramos	Panama	225/24	11/26/2024	P-1087-13	15.692
120	Rigoberto Aldana Castro and family	Colombia	226/24	12/3/2024	P-1624-14	15.694
121	Luis Enrique Ochoa Estrada	Colombia	227/24	12/3/2024	P-1857-14	N/A
122	María Elia González Jiménez et al.	Mexico	228/24	12/5/2024	P-1204-14	15.695
123	Carlos Gutiérrez Mejía et al.	Colombia	229/24	12/5/2024	P-1808-14	N/A
124	Florentino Quiroga Charry and family	Colombia	230/24	12/5/2024	P-15-14	15.696
125	Nicanor Morales Rodríguez and family	Colombia	231/24	12/5/2024	P-1751-14	15.697
126	César Eduardo Piñeros Beltrán	Colombia	232/24	12/5/2024	P-1044-14	N/A
127	Héctor Alfredo Reynoso and Elizabeth del Valle Vildoza	Argentina	233/24	12/10/2024	P-220-14	N/A
128	Funtierra Rehabilitación S.A.S.	Colombia	234/24	12/10/2024	P-749-15	N/A
129	Trevian Ferney Aragon Valencia	Brazil	235/24	12/5/2024	P-422-19	15.698
130	Vanessa Maricela Callata Paredes	Peru	236/24	12/10/2024	P-1962-19	15.699
131	Dakarai Andrés Delfín Trujillo and their mothers	Peru	237/24	11/7/2024	P-534-22	15.700
132	Benedita Tereza Da Silva et al.	Brazil	238/24	12/4/2024	P-804-19	N/A
133	Managers and communicators of Caplina radio station	Peru	239/24	12/10/2024	P-382-16	15.701

## **b. Important decisions**

### **• Admissibility**

23. Below are summaries of matters declared admissible and currently in the merits stage, based on the gravity of the acts alleged, issues new to the jurisprudence of the Inter-American system, or their relevance in the specific context of the State in question.<sup>3</sup>

<sup>3</sup> All of these reports are available at [OAS: IACHR: Admissibility Reports \(oas.org\)](https://oas.org).

- **Report No. 3/24, P-776-20, Laura S. and Family, United States.**

24. The petition concerns the circumstances under which Laura S. (an undocumented migrant) was allegedly taken from the United States to Mexico, after which she was murdered by an abusive ex-partner and is filed on behalf of Laura and her surviving children, known as E.H.F, S.H.F. and A.S.G. It alleges that the State is responsible for the violation of multiple rights of the alleged victims, including the right to life, the right to due process, the right to seek asylum, and the right to protection of family life.

25. By way of background, as alleged in the petition, on June 9, 2009, Laura S. was driving a car in Pharr, Texas, a small city on the U.S.-Mexico border, with three passengers. A local police officer stopped them for an alleged minor traffic violation and demanded that they show proof of citizenship or immigration status. Laura S. and two of her passengers had no such documents as they were living in the United States without authorization at the time. They were subsequently transported to a U.S. Customs and Border Protection (CBP) processing center. Laura S. told CPB agents that she was at risk of being killed by her ex-partner if she was returned to Mexico. She explained that she had previously obtained a protection order against her ex-partner (due to domestic violence). According to the petition, Laura S. was forced to sign a "voluntary return" form before being returned to Mexico in the early morning hours of June 10, 2009. A few days later, the victim was found dead. Her ex-partner was subsequently convicted of her murder.

26. The Commission considered that the expulsion of Laura S. and her subsequent murder could give rise to violations of Articles I (right to life, liberty and security of person), II (right to equality before law), XVIII (right to a fair trial), XXV (right of protection from arbitrary arrest), XXVI (right to due process of law) and XXVII (right of asylum). The Commission also considered that these facts could also establish *prima facie* violations of the right to a family (enshrined in Articles V and VI) to the detriment of the surviving family of Laura S. At the merits stage of this case, the IACHR will have the opportunity to analyze in depth the State's obligation to protect the fundamental rights of undocumented migrants, particularly those who are at risk of harm if returned to their countries of origin.

- **Report No. 19/24, P-449-10, San Pablo Amalí Community, Ecuador.**

27. The petitioner alleges that the members of the peasant community of San Pablo de Amalí were affected by a concession granted in 2003 for the construction of a hydroelectric plant known as "San José del Tambo" in a watershed - Dulcepamba River - that they had used ancestrally. They allege that the concession to Hidrotambo was made without community participation, with illegal expropriations and without environmental or water impact studies. On this last point, the petitioners assert that due to the change in the course of the river made by the company and the heavy rains in 2015, 2019 and 2023, there were overflows and floods, as a result of which three people died; the community was isolated for weeks; and there was damage to farms. Although they filed appeals to address these situations, the alleged victims are concerned about Hidrotambo's failure to comply with judicial decisions.

28. There are also allegations of attacks and threats against community members by the Ecuadorian Army Corps of Engineers, who were contracted in 2006 for the construction of the hydroelectric plant. Also, since the protests against the concession granted in 2003, community members have been accused of various crimes, such as sabotage, terrorism, illegal possession of weapons, assaults, and destruction of property against Hidrotambo workers and members of the Corps of Engineers. The criminalization of protests by community leaders and human rights defenders Manuel Cornelio Trujillo Secaira and Manuela Narcisa Pacheco Zapata is denounced.

29. In the admissibility report, the Commission considered that it could be characterized as violations of Articles 4 (right to life), 5 (right to humane treatment), 8 (right to a fair trial), 21 (right to property), 25 (right to judicial protection) and 26 (progressive development) of the American Convention in relation to its Article 1.1 (obligation to respect rights). Likewise, the IACHR reiterated the need for protection for leading human rights defenders that takes into consideration that the attacks against them have a special impact, given that they have an effect that goes beyond the direct victims.

30. Finally, in relation to the right to a healthy environment and access to water, the IACHR recalled the broad definition of these rights. It emphasized that Article 26 contemplates the right to a healthy environment, which protects the components of the environment, such as forests, rivers, seas and others, as legal interests in themselves. In addition, it was noted that the petitioners allege that access to water for the community of San Pablo de Amalí was reduced, which would not only cause harm to personal consumption, but also to their livelihood by affecting livestock and agriculture.

- **Report No. 60/24, P-1995-14, San Carlos de Guaroa Massacre, Colombia.**

31. In the case of the San Carlos de Guaroa massacre, the Inter-American Commission on Human Rights admitted the violation of Articles 4 (right to life), 5 (right to humane treatment), 8 (right to a fair trial) and 25 (right to judicial protection), for the murder of eleven public servants and the attack perpetrated against 43 officials during a paramilitary ambush, in the framework of a drug seizure operation, in which the Army's Seventh Brigade allegedly failed to provide the air reinforcements requested by the officials.

32. The petitioner recounted that the prosecutor's office organized an operation to seize drugs on a farm located in the municipality of San Carlos de Guaroa, department of Meta, in coordination with the army, the DAS, the Attorney General's Office, and the Technical Investigation Corps ("CTI"). It reported that on October 3, 1997, when the Judicial and Military Commission was returning from the operation, it was confronted by armed men who said they belonged to the paramilitary group "Los Buitragueños" and warned them that another 150 armed men were on their way to the site to attack the judicial mission. The petitioner stated that the Judicial and Military Commission requested that helicopters from the Army's Seventh Brigade be sent to provide air support to repel the attack; however, despite their insistence, that Brigade reportedly failed to send reinforcements and, as a result, eleven persons died and another fourteen were wounded, out of a total of 54 officers who participated in the operation.

33. The Commission determined the existence of an unjustified delay in the resolution of the criminal proceeding, since it is a case of partial impunity in which only three of the perpetrators have been convicted, and given that more than thirteen years have elapsed since the defendants were charged, without the process being taken to the trial stage.

- **Report No. 75/24, P-1776-20, A.R.H., Colombia.**

34. In the report of Mrs. A.R.H. regarding Colombia, the Inter-American Commission admitted for its in-depth analysis possible violations of Articles 5 (right to humane treatment), 8 (right to a fair trial), 24 (right to equal protection) and 25 (right to judicial protection) of the American Convention, and Article 7 of the Convention of Belém do Pará, due to the unjustified delay in initiating a criminal trial for the rape suffered by the alleged victim at the hands of three indigenous men.

35. The petitioner states that Mrs. A.R.H. is a British citizen who was on vacation in Colombia with a group of friends, when on the night of October 21, 2012, she went for a walk at night through the Cabo de la Vela trail, in the department of La Guajira, and got lost. She arrived at a Wayuu Rancheria where she asked for directions and at the exit was intercepted by three men who insisted on accompanying her on her way, but physically assaulted her and gang raped her. The petitioner indicates that they then took her back to the Rancheria, from where she was able to escape in the morning hours the following day. Mrs. A.R.H. reported the incident as soon as possible on October 22, 2012.

36. According to the petition, twelve years after the events, the prosecutor's office has already fully identified the alleged perpetrators, but has not taken steps to capture and charge them. The Commission determined the existence of an unjustified delay in the initiation of the trial, and considered that the allegations made by the State, according to which the delay is mainly due to the lack of collaboration of the indigenous community in the criminal process, the absence of the suspects and the special indigenous jurisdiction over

one of the alleged perpetrators who was under eighteen years of age at the time of the events, are elements that should be studied in the merits stage. This case will allow the IACHR to address the collision of rights between the reinforced obligation to investigate violence against women and respect for the indigenous community's native law.

- **Report No. 62/24 (inadmissibility), P-2281-17, Associates of Asonacriga, Costa Rica.**

37. The Inter-American Commission did not admit petition 2281-17, filed by the National Association of Rooster Breeders (hereinafter "ASONACRIGA") on behalf of 40 persons dedicated to the breeding and fighting of roosters, for the alleged violation of their rights to culture and equality before the law, on the occasion of the issuance of the Animal Protection Law in 2017 that prohibited both activities and established criminal sanctions against those who exercise them.

38. Although the IACHR determined that the petitioner exhausted domestic remedies by filing two unconstitutionality actions, the last of which was rejected on the merits on August 30, 2017, it considered that the petitioner's allegations did not characterize violations of the rights invoked, in the terms of Article 47(b) of the American Convention. The IACHR considered that the claims of the petitioner fall under the doctrine of the fourth instance, since the Constitutional Chamber of the Supreme Court of Justice examined the matter on the merits and determined that there was no violation of the rights invoked. In this context, since 1924, Costa Rica has considered that cockfighting offends national public morals, since it does not demonstrate the skill of the gambler, does not respond to a social value and affects the right to a healthy environment and incurs in the crime of animal cruelty.

39. The Commission concluded that the complaint filed by the alleged victims was duly addressed and received a reasoned and lawful denial decision. The Commission also noted that the prohibition of this type of activity was a legitimate restriction of the right to culture because: i) the prohibition of cockfighting is provided for in several laws enacted by the State since 1922; ii) it pursues a legitimate purpose which is the protection of the right to a healthy environment and the care of fauna, and the prevention of other illegal activities that would be generated around this activity; iii) it is necessary for the protection of roosters bred in private establishments; and iv) it is proportional in that it keeps balance and responds directly to the purpose pursued. In this sense, with this decision, it is observed that, in view of the analysis made by the State itself regarding such restriction, the intervention of the Inter-American system was not appropriate, due to the principle of complementarity, since there were no *prima facie* violations of rights protected by the American Convention.

- **Report 94/24, P-170-17, Alan Raí Rehbeim de Oliveira and others, Brazil.**

40. The case concerns the tragic fire at the *Kiss* nightclub in Santa Maria, Brazil, on January 27, 2013, which resulted in 242 deaths and injuries to more than 600 people. The fire was caused by pyrotechnic devices used during a band's performance that set fire to flammable material on the roof. The petition, filed by several associations and councils representing the victims and their families, alleges multiple human rights violations. The petitioners claim that the State is responsible due to the failure to take the necessary measures to prevent the incident, as well as delays in domestic proceedings, impunity and lack of civil compensation for the damages caused. They also complain that three fathers and a mother of the victims of the fire were criminally prosecuted for defamation and slander after publicly questioning the conduct of prosecutors investigating the fire at the *Kiss* nightclub.

41. The arguments in the case focus on the State's negligence in enforcing safety regulations at the discotheque, which was overcrowded and lacked adequate emergency measures. The petitioners also point to inadequate emergency response and numerous irregularities in the operation of the discotheque, such as lack of proper permits and failures of the authorities to address these problems despite being aware of them.



42. Regarding the exhaustion of domestic remedies and the timeliness of the petition, the project argues that, despite the complexity of the case and the prompt initiation of the investigations, the criminal proceeding was remarkably slow, taking more than ten years without a final resolution. If proven, these facts could constitute violations of the rights protected under Articles 4 (right to life), 5 (right to humane treatment), 8 (right to a fair trial) and 25 (right to judicial protection) of the American Convention.

- **Report No. 140/24, P-264-14, Ana Isabel Rivera Narváez and another, Colombia.**

43. The petitioners allege grave human rights violations in the "Chinulito Massacre" or "El Parejo Massacre". According to the facts, between September 12 and 15, 2000, 60 paramilitaries with state support massacred eleven people, including women and children, perpetrated murders, torture, arson and forced displacement. The State is accused of direct participation, as well as connivance and lack of preventive action despite alerts and requests for protection. Unjustified delay was alleged in the criminal investigation, with the first sentences delivered only in 2018 and 2019 and no significant progress since then. Although the State mentioned the complexity of the case, the IACHR considered that it is not justified that more than 23 years have passed without concrete results in the criminal process.

44. The Commission noted that the petition focuses on kidnappings, arbitrary detentions, torture and killings, including of a pregnant woman, as well as other acts of violence and harassment, in addition to the allegation of a lack of investigation, punishment and comprehensive reparations. The Commission considered that the facts raised could constitute violations of the rights established in Articles 4 (right to life), 5 (right to humane treatment), 7 (right to personal liberty), 8 (right to judicial guarantees), 17 (right of the family), 19 (rights of the child), 21 (right to property), 22 (freedom of movement and residence) and 25 (right to judicial protection) of the American Convention, in relation to its Article 1(1) (obligation to respect rights); Article 7 of the Inter-American Convention on the Prevention and Eradication of Violence against Women (Convention of Belém do Pará); and Articles 1, 6 and 8 of the Inter-American Convention to Prevent and Punish Torture.

- **Report No. 98/24, P-504-14, Carlos Sánchez Ríos et al.; and Report No. 228/24, P-1204-14, María Elia González Jiménez et al., Mexico.**

45. The alleged victims denounce violations of their rights as a result of flooding that occurred in September 2009 in the Valle Dorado subdivision, Tlalnepantla de Baz, State of Mexico. After extensive rains, a section of the water channel called "Túnel Emisor Poniente" collapsed, causing material damage to their homes and cars. The sewage flooded their homes, reaching a height of up to 1.80 meters.

46. The plaintiffs argue that the National Water Commission (CONAGUA) failed to comply with its duty to regulate and supervise rainwater tunnels, by allowing the tunnel to carry sewage when it was originally designed to carry drinking water, and for not having provided the necessary maintenance to prevent its rupture. Also, that the State violated their right to equality before the law and to compensation, since others affected by the same facts, and who followed equivalent administrative and judicial procedures, did receive compensation.

47. On this point, they cited a technical report prepared by the Engineering Institute of the National Autonomous University of Mexico (UNAM), with which they claimed that CONAGUA was negligent. In the judicial proceedings related to both petitions, the judgments unfavorable to the alleged victims interpreted this report as evidence that there had been no omission on the part of CONAGUA. However, in other cases, the same ruling was used to award compensation to other affected parties.

48. Both petitions were admitted by the IACHR, because it was observed that the alleged victims exhausted the same administrative and judicial remedies as in the case of the third parties who did receive reparations; and that the aforementioned report was presented as decisive evidence. Thus, taking into account the similarities identified, the Commission did not consider that the petitioners' complaints were limited to evoking divergent judgments or that they were manifestly unfounded complaints, concluding that the

consideration of whether the alleged differential treatment of the alleged victims really existed corresponds to the analysis of the merits of both cases.

- **Report No. 66/24, Petition 111-21, A.S.A.H., Mexico.**

49. In the instant case, it is alleged that the alleged victim, following an appendectomy performed in a military hospital, was raped while under anesthesia and was infected with a sexually transmitted infection. The petitioner reported the incident, but despite her efforts, including requests for tests to be performed on the nurses, the Public Prosecutor's Office decided not to prosecute, alleging lack of evidence to prove the responsibility of the nurses. The National Human Rights Commission (CNDH), for its part, concluded that there was no evidence of violations of the petitioner's human rights, based on the fact that her infection was not exclusively sexually transmitted. In turn, the Mexican State argued that the petitioner did not exhaust the available domestic remedies and that she filed the petition out of time.

50. The IACHR emphasizes that, despite the steps taken by the authorities, the investigation has been marked by unwarranted delays and appears to lack the due diligence required in cases of sexual violence. The Commission recognizes in the report that the petitioner's allegations regarding the lack of adequate investigation are not unfounded and could constitute possible violations of Articles 5 (right to humane treatment), 8 (right to a fair trial), 11 (right to privacy), 17 (right of the family), 24 (right to equal protection) and 25 (judicial protection) of the American Convention, in relation to its Article 1.1 (obligation to respect rights) and Article 7 of the Convention of Belém do Pará.

- **Report No. 35/24, Petition 2658-18, Rigoberto Zárate Luna et al, Ecuador.**

51. The alleged victims are the inhabitants of the Rica Playa hamlet, represented by various organizations that allege that the Ecuadorian State is responsible for the contamination of the waters of the Puyango-Tumbes rivers, which has affected their health and quality of life. Ecuadorian mining companies dump toxic waste into the Puyango River, creating a flow of contaminated water that reaches the Tumbes River in Peru. Health authorities have established that this water is unfit for human consumption, with high levels of heavy metals, which also harms local biodiversity and agriculture.

52. In the terms of the report, the Inter-American Commission observed an unjustified delay in the investigation of the contamination of the river, derived from complaints filed since 2017 that as of the date of the report have not had significant progress. Although the Ecuadorian State alleges that it has acted diligently in the investigation, the IACHR considers that more than 14 years without concrete results is not justifiable. The petition was filed in 2018, and the effects of the alleged violations are still present to date.

53. Regarding the characterization of the alleged facts, the Commission noted that the petition focuses on environmental contamination affecting the health of the population, with high concentrations of metals in the blood of the inhabitants, in addition to the complaint about the lack of adequate investigation, punishment and reparation. The IACHR considered that these facts could constitute violations of the rights established in Articles 4 (right to life), 5 (right to humane treatment), 26 (progressive development) and 25 (right to judicial protection) of the American Convention, in relation to its Article 1.1 (obligation to respect rights).

• **Merits**

54. The following is a description of some of the pronouncements and advances in inter-American standards developed by the Commission in 2024, in the merits reports. These reports are confidential after adoption, in accordance with Articles 50 of the American Convention and 44 of the Rules of Procedure of the IACHR. Such reports may be made public until the Commission decides whether to send them to the Inter-American Court for those States that have recognized its jurisdiction, or to publish them in accordance with Article 51 of the ACHR and 47 of the IACHR Rules of Procedure.



- **Right to judicial guarantees and judicial protection against the removal of judicial authorities.**

55. The case refers to the illegal and arbitrary removal of a judicial authority of a high court through an impeachment trial. The IACHR referred to the standards on judicial independence, and in particular, to the guarantee of stability and irremovability in the position of jurisdictional authorities. In this regard, the Commission established that, following the jurisprudence of the Inter-American Court, it is prohibited for the organ or organs that intervene in their processing, deliberation and resolution to review the grounds or content of the decisions issued by the judicial authorities and that their dismissal responds to the legal criteria they upheld in the cases before them. The Commission also emphasized that, in accordance with the "principle of maximum severity", the sanction of dismissal of a judge implies that it should only proceed for "clearly reprehensible" conduct or "truly serious reasons of misconduct or incompetence", since the protection of judicial independence requires that the dismissal of judges be considered as the last resort in judicial disciplinary matters.

- **Selection and appointment of judges.**

56. In a case related to the selection process of justice operators, the Commission ruled on the applicable standards in this area. Basically, it noted that the Commission and the Court have recognized that by virtue of Article 8.1 of the American Convention, all persons have the right to independent and impartial courts established in accordance with the law. From this right of those being prosecuted, it follows the correlative right of judges to be independent, in such a way that they enjoy reinforced guarantees that are materialized in: adequate selection and appointment processes, irremovability in office, and protection against external pressures. On the other hand, Article 23 of the American Convention obliges States to guarantee conditions of equality in access to public office as part of the content protected by political rights. Thus, from both rights (8.1 and 23 of the Convention), the Commission understood that it follows the obligation of the States to ensure that their selection and appointment processes ensure as a whole the right to judicial independence and equal treatment to those who participate in such processes.

57. In its report, the Commission recognized that the Convention does not establish a single model, and that States have the power to design and organize the appointment and selection processes. However, they are not entirely exempt from examination by the Inter-American system because, as explained above, they are intrinsically related to the rights to judicial independence and political participation under conditions of equality. For this reason, the Commission can make a pronouncement on whether such procedures have been detrimental to those rights in a specific case. Thus, the Commission can examine whether "as a whole" the aforementioned rights were guaranteed, which entails analyzing the manner in which such proceedings were carried out, but, above all,]] the response given by the State through its courts to the alleged irregularities that could have been denounced in order to safeguard judicial independence and the division of powers. In the specific case, the Commission observed a series of shortcomings, among which were the lack of compliance with its own internal regulations, lack of objectivity and transparency in the processes and lack of adequate and effective resources to address the claims presented, which led it to conclude that the State did not comply with these obligations.

- **Right to health of workers engaged in hazardous activities.**

58. In a case related to State workers who suffered serious damage to their health as a result of the precarious and unhealthy working conditions to which they were exposed, derived from their work as fumigators and the use of chemical substances, the Commission referred to the standards of the right to work and fair and satisfactory conditions in the area of hazardous activities. The IACHR remarked that States have the obligation to supervise and oversee the working conditions of those who perform these activities, as well as to guarantee acceptable, available and quality medical care to workers. It also established that neither workers nor their families should have the burden of proving the cause of their illness or disability in order to have access to an effective remedy. Finally, the Commission recognized that the right to health includes the

obligation to have effective complaint mechanisms available in case of violation in order to guarantee the right of access to justice and effective judicial protection.

- **Right to collective property of indigenous peoples.**

59. In the context of a claim by indigenous peoples regarding the ownership of their territory, the Commission emphasized that they have the right to be legally recognized as holders of property rights over the lands and resources they have historically occupied, to obtain formal legal title to their lands, and to have such titles duly registered. The IACHR established that the mechanisms related to collective property must imply a real possibility for the people or communities to exercise effective control over their territory. In this sense, the issuance of individual titles to traditional territories claimed by an indigenous people is contrary to the State's international obligations to guarantee the right to collective property. From an approach of equality before the law and its relation to the cultural rights of indigenous peoples, the Commission highlighted the importance of the State providing property titles that recognize the ethnic and cultural specificity of the communities and the effective availability of natural resources for their subsistence.

- **Rights of pregnant women deprived of their liberty.**

60. The Commission ruled on the case of a pregnant woman who was subjected to acts of torture and cruel, inhuman and degrading treatment, including acts of sexual violence and forced isolation by State agents while she was deprived of her liberty. The Commission established that States have the obligation to prohibit the application of isolation measures for pregnant women, as they are in an aggravated situation of vulnerability. In addition, the IACHR highlighted the importance of applying a gender perspective when investigating acts of torture or cruel, inhuman or degrading treatment against pregnant women and women deprived of their liberty. Finally, it emphasized that the request to submit to a search involving nudity of a woman deprived of liberty before a male official agent is degrading and humiliating and constitutes a form of sexual violence against women.

- **Right to due process. Persons sentenced to death penalty and gender stereotypes.**

61. The IACHR ruled on gender stereotypes in criminal proceedings and the resulting violations of the right to due process in the case of a woman sentenced to death. The Commission emphasized that the intersection between gender and the socioeconomic conditions of the victim placed her in a situation of vulnerability that, motivated by gender stereotypes on motherhood, obtained her confession through coercion, without the possibility of gathering evidence in the process itself that would allow for an effective defense in relation to such behaviors that were intended to be attributed. The Commission emphasized the prohibition of using coercion to break the expression of a person's will. In the absence of a gender perspective in national courts, the IACHR underscored the obligation of States to judge capital cases with a gender perspective as a key tool to combat these stereotypes and discrimination against women.

- **Right to due process. Admission and evidentiary value of evidence produced illegally or irregularly in the context of a criminal proceeding.**

62. In a case involving illegal detention and sentencing for terrorism offenses, the Commission developed standards relating to the admission and probative value of evidence produced unlawfully or irregularly in the context of criminal proceedings. In its analysis, the Commission explained that admitting this type of evidence and, in turn, granting it weighty probative value, may constitute a violation of the rights protected by the American Convention, in particular, those related to due process, such as the right of defense or the principle of innocence, even when the production of such evidence did not involve torture or coercion. In line with the jurisprudence of the European Court of Human Rights, the Commission assessed the following elements: i) the weight that the evidence had to support the conviction of the court; ii) the quality and authenticity of the evidentiary material and the existence of doubts about its authenticity; iii) the degree of unlawfulness with which the challenged investigative diligence was carried out, as well as the level of intrusion on the rights of the person concerned; iv) the procedural opportunities that the accused person had to challenge

the evidence obtained in an irregular manner; v) whether such challenges were adequately examined; vi) the good faith of the public officials in gathering the challenged evidence; and vii) the general interest of society in investigating and prosecuting this type of crime and its balance with the particular interest of the accused person. In this regard, the Commission emphasized the importance of States adopting appropriate regulatory frameworks that, among other things, dissuade State agents from committing illegal or irregular acts in order to make progress in the investigation of judicial cases and, in turn, strengthen public confidence in the procedures for the administration of justice.

- **Victims' right to an adequate and effective remedy in criminal proceedings.**

63. In the context of an investigation and punishment of a violent death, the Commission analyzed various human rights treaties, decisions of international courts and bodies, and *soft law* instruments, as well as the domestic legislation of the States Parties to the American Convention in relation to the ownership and grounds for the right to appeal a judgment in criminal proceedings. Based on the aforementioned sources, in consideration of the provisions of Article 31(1) of the Vienna Convention on the Law of Treaties and Article 29 of the American Convention and in the development of a teleological, evolutionary and systematic interpretation, the report highlights that the scope of protection of victims in the framework of criminal proceedings has been progressively expanded and their right to access to justice under equal conditions has been recognized. It also highlights the bilateral nature of the right to an effective remedy and the importance that the rights of victims are not diminished in relation to those of the defendant. By virtue of this, the Commission held that the victims or complainants of a crime in criminal proceedings must have adequate and effective remedies that allow them to challenge decisions that affect their interests in terms of truth, justice and reparation and that, to that extent, they must have the possibility of appealing a first instance ruling.

- **Children's rights and the State's duty to supervise and oversee day care centers.**

64. In the case of a fire in a daycare center that resulted in the death and injury of children, the IACHR recognized that the rights to life and personal integrity of children are reinforced when they are in early childhood. The Commission established that the State has the following duties: i) to adopt the necessary measures to create an adequate regulatory framework to deter any threat to the right to life and personal integrity by State agents or private individuals against children; ii) to design and implement a policy to prevent critical situations that could jeopardize their rights in custody; and iii) to supervise the provision of public interest services when they are provided by private persons. The Commission emphasized that the obligation of supervision is of fundamental importance when it comes to services provided by private institutions responsible for the protection, custody, care and education of children.

- **Rights to personal autonomy and health in cases of hunger strike.**

65. The Commission made a pronouncement in the case of a person who protested to authorities through various hunger strikes and was subjected to forced feeding in a hospital, where he died. The IACHR stressed that the responses of States to the various forms of protest must be framed within the framework of dialogue and negotiation, as the most effective tools for managing protests and avoiding the use of force. The Commission established that force-feeding can be considered an act of torture, particularly when it is carried out violently. The Commission stressed that the decisions of patients to accept or refuse medical treatment must be respected.

- **Rights to movement and residence of human rights defenders.**

66. The case refers to the prevention of a human rights defender from leaving the country as an eyewitness to the facts of a homicide. The Commission emphasized that the States are obliged to comply with the requirements of legality, necessity and proportionality for the application of the measure of prohibition from leaving the country, as well as to define precisely and through a law the exceptional cases in which it may proceed. The IACHR established that the States must establish a legal framework, purpose and specific

circumstances for the application of the ban on witnesses leaving the country, as its application should not be equated to that of prosecuted persons.

- **Children's rights in the school environment.**

67. In a case investigating the expulsion of a student from a private school, the IACHR stressed the importance of States promoting non-violent forms of discipline that respect the rights of children in the school environment. The Commission recognized that learning must be based on the recognition of children and adolescents as full subjects of rights and respect for their dignity. The Commission emphasized that States must guarantee effective judicial remedies in the educational sphere, including against acts committed by private parties, such as private schools, and ensure the enforcement of such judgments.

- **International adoption of children and adolescents in a situation of human mobility.**

68. The Commission developed standards related to international adoption, with special emphasis on its impact on children and adolescents in a situation of human mobility. To this end, it evaluated treaties on the subject, jurisprudence of regional courts, conclusions of United Nations bodies and statements of the Hague Conference on Private International Law. Based on the *international corpus juris* on the subject, the report indicates that, in international adoptions, as in domestic adoptions, the best interests of the child must be prioritized. In addition, it is necessary to: i) confirm that adoption is the last option and that the biological relatives cannot ensure the best interests of the child in their country; ii) apply the law of the child's domicile or habitual residence regarding adoption requirements; iii) that the adoption be authorized by a competent authority and in accordance with applicable law; iv) guarantee the child the same rights as those applicable in a national adoption; and v) ensure that the child is part of a secure adoption system that respects the best interests of the child.

- **Principles of diligence and exceptional celerity in international child restitution proceedings.**

69. In the context of a request for the international return of a child, the Commission recalled that judicial proceedings involving the protection of the rights of children and adolescents, particularly those related to their international return, must be processed with exceptional diligence and speed in order to protect the rights at stake. In particular, it held that, when there is a final judgment ordering the return of a child, its execution must be urgent since the passage of time may bring about irreversible consequences in the bond between the child and his or her parent with whom he or she does not live as a result of the retention or wrongful removal. In addition, with regard to reunification, the Commission noted that, in this type of case, the States must immediately implement a visiting regime in accordance with the interests of the children or adolescents and their due protection, which guarantees access to their mother or father and extended family in appropriate conditions, without unnecessary restrictions, in an environment that guarantees the maximum possible normality in the relationship.

- **Duty of enhanced due diligence in the investigation of sexual violence against children and adolescents.**

70. In a case related to sexual violence suffered by an adolescent girl, the Commission developed the standards on enhanced due diligence and the duty of special protection in investigations and criminal proceedings related to sexual violence against girls and adolescents. In particular, in application of the *corpus iuris* on children's rights and women's rights, the Commission emphasized that the investigation cannot depend on the existence of an absolute degree of certainty as to whether or not the act to be investigated constituted violence against women. It also stressed that girls and adolescents who are victims of crimes of sexual violence can experience serious physical, psychological and emotional consequences and, sometimes, a new victimization by State bodies when they participate in criminal proceedings, whose function is precisely the protection of their rights. In this regard, it held that, once the facts are known, the States must provide, free of charge, immediate and professional assistance, both medical and psychological and/or psychiatric, by a

professional specifically trained in the care of victims of this type of crime and with a gender and child perspective. It also noted that it is essential that in the development of the judicial process and in the implementation of support services, the age, level of maturity and understanding, gender, sexual orientation, socioeconomic status, skills and abilities of the girl or adolescent, as well as any other factor or special need in which she finds herself, be taken into account without any discrimination whatsoever.

- **Right to life. Obligations of States with respect to children and adolescents deprived of their liberty in privately run detention centers.**

71. In a case concerning the death of an adolescent deprived of his liberty in a detention center for children and adolescents, the Commission reiterated the inter-American standards on the obligations of States regarding the comprehensive protection of children and adolescents deprived of liberty, and evaluated the duties of States when they delegate security tasks in the aforementioned detention centers to private providers. In this regard, it recognized that States are obliged to respect and promote the rights of children and adolescents - which includes the duty to ensure that private service providers act in accordance with the *corpus iuris* on the matter - and indicated that allowing the private sector to provide services or run institutions whose duties are related to children or adolescents does not in any way reduce the State's obligations; on the contrary, this circumstance requires the State to rigorously inspect, control and monitor these institutions and/or companies.

- **Right to life. Use of force by state agents in maritime territory.**

72. In a case related to the use of force by State agents against an unflagged vessel, based on Article 29 of the American Convention, the Commission invoked international instruments, such as the treaties on the Law of the Sea, to complement and strengthen the interpretation of the human rights recognized in the treaties of the Inter-American System. In its Report on the Merits, the IACHR formulated considerations on the obligations of States regarding the use of force, incorporating, where relevant, principles developed in normative instruments on the Law of the Sea and the jurisprudence of the Tribunal of the Sea and the European Court. In relation to preventive actions to the deployment of force, the report indicates that the legislation on the matter should: (i) ensure that the use of force is compatible with the rights to life and integrity, in accordance with the standards developed in the Inter-American System; (ii) establish that the use of force at sea should not be applied during innocent passage; (iii) indicate the obligations of assistance to those in distress at sea; (iv) set limits to the right of pursuit at sea; and (v) establish that the use of force in maritime surveillance operations is limited to the exercise of the right of defense. Regarding concomitant actions, the Commission reiterated the requirements of legality, legitimate purpose, necessity and proportionality. Likewise, in relation to subsequent actions, the IACHR evaluated the duty of States to provide assistance to vessels in critical conditions that require assistance, and the right of coastal States to pursue in light of the obligations derived from the rights to life and personal integrity. On the other hand, the Commission recognized that, although State agents may act firmly in the face of suspicions of crimes, the provisions of the Law of the Sea must be interpreted in a manner consistent with international human rights law, and may not be used to justify the excessive use of force.

- **Right to life. Principle of maximum restriction on the use of lethal force in the context of protests.**

73. In a case of deprivation of life and personal injury caused by the actions of state agents in the context of a social protest, the Commission indicated that the general principles on the use of force, applied to the context of protests and demonstrations, require that the management of security operations be carefully and thoroughly planned by persons with specific experience and training for this type of situation and under clear action protocols. The decision to use, or not, all types of force require consideration of the risks involved, which may contribute to an escalation of tension levels. Specifically, the Commission noted that the principles of moderation, proportionality and progressiveness must be observed, among others, in cases of police operations in demonstrations or mass gatherings that generate situations of violence or affect the rights of third parties. In addition, the IACHR emphasized that potentially lethal force cannot be used only to maintain



or restore public order or to protect legal assets less valuable than life, such as property, and that the protection of life and physical integrity in the face of imminent threats may be a legitimate objective for the use of such force.

**c. Published merits reports**

74. During 2024, in accordance with the provisions of Article 47 of its Rules of Procedure and Article 51 of the American Convention, the Commission decided to publish the following two merits reports:

- [Report No. 8/24](#), Case 13.083, Akawaio Indigenous Community of Isseneru and its members (Guyana).
- [Report No. 1/24](#), Case 12.549, Nasry Javier Ictech Guifarro (Honduras).

75. In addition, progress was made in processing the reports that the IACHR decided not to send to the jurisdiction of the Inter-American Court (see *infra* para. 114), in accordance with Article 47 of the Rules of Procedure. In the first half of 2025, the Commission will prioritize the publication of such reports.

**d. Activities involving petition and case management**

76. As part of its Strategic Plan 2023-2027, the Commission continued to adopt measures to promote access to more timely inter-American justice. These actions are aimed, on the one hand, at increasing productivity in final decisions on pending cases and reducing the portfolio; and, on the other hand, at implementing [Resolution 4/23](#) to improve the management and speed up the decision of the most urgent and serious cases that have an impact on the inter-American system, given the existing procedural backlog.

77. The IACHR strengthened the administrative structure of its Deputy Secretariat for Petitions and Cases, consolidating the initial study and admissibility of petitions into a single technical team. This, following the implementation of a pilot program with favorable results that demonstrated that specialization optimizes human talent and favors greater consistency between the analysis of the initial study and the criteria adopted by the Commission in its admissibility decisions. At the same time, to improve the management and productivity of cases at the merits stage, the Commission increased the number of case coordinators from one to three, which began operating in May 2024, developing their work methodologies and organization. A focal point has also been created to deal with cases that have reached a decision on the merits and are being followed up for publication or eventual referral to the Inter-American Court.

78. The purpose of these measures is to maintain an adequate initial evaluation of the petitions during the same year in which they are received, to achieve greater consistency between the preliminary study and the admissibility decisions, and to gradually increase the production of substantive reports. It is also expected to increase the number of follow-up actions, working meetings or technical advice that may be required in cases that are in the transition stage, as well as to expedite the processing of Article 47 of the Regulations for the adoption of published reports.

79. Likewise, in order to continue strengthening the technical capacity of the human talent in charge of managing petitions and cases, in 2024 the Human Rights Continuing Education Program that began in 2023 was continued. This program has included a series of training activities given by experts, aimed at the staff of the Executive Secretariat, to strengthen and update their knowledge on relevant topics and standards. It has also continued to produce an informative Bulletin of the Deputy Executive Secretariat for Petitions and Cases, to share information among the technical teams on the inter-American standards developed in the approved merits reports and the judgments issued by the Inter-American Court, among other topics.

80. In application of [Resolution 4/23](#), the Commission has progressively implemented its Policy on Prioritization of Petitions and Cases. A review of the portfolio of cases in the merits and admissibility stage was carried out. The purpose of this process was to homogeneously categorize the cases into main and

subsidiary issues. Next, between February and March 2024, the IACHR [set up a space to receive contributions](#) from States and civil society acting as petitionary parties. Its purpose was to identify cases with the potential to develop the inter-American public order and consolidate the scope of human rights standards relevant to the region, in compliance with the provisions of paragraph seven of Resolution 4/23. A total of 114 contributions were received.

81. In this context, during the first months of the year, the Commission carried out a study of the portfolio of cases and considered the inputs received in the consultation, those provided by the special, thematic and country rapporteurships, as well as those from the precautionary measures and follow-up of recommendations teams. With this, the IACHR carried out the annual planning of the issues to be studied.

82. During 2024, while continuing to advance chronologically in the study of cases, priority was given to those related to serious human rights violations, without prejudice to the other categories established in resolution 4/23, which have allowed the IACHR to pronounce itself on situations that are circumstantial, structural, and related to the Inter-American public order, such as those recapitulated in the section on relevant decisions in this report. At the same time, priority has been given to the advancement of urgent cases, such as those related to the international restitution of children and adolescents, and the possible imposition of the death penalty. The Commission will continue with this planning exercise during 2025, in order to be able to verify the results obtained with respect to this first planning exercise. It should be noted that next year, the IACHR will extend the application of this policy to the portfolio of cases in the admissibility stage, which will enable it to have a broader and more strategic vision of its entire portfolio of petitions and cases.

83. In order to manage more efficiently the progressive increase in the adoption of decisions, and in alignment with the Strategic Plan 2023-2027, particularly with the objectives SO1/P1 on *Streamlining processes and progressively reducing the procedural backlog* and SO7/P29 on *Improving accountability and transparency of institutional processes*, the IACHR instructed the Executive Secretariat to preliminarily inform the parties about the adoption of the merits reports. This measure will close the dispute between the parties pending formal notification, in accordance with the provisions of Article 44 of the IACHR Rules of Procedure. It should be clarified that the communication that will be sent will not trigger the time limit established in Article 51 of the American Convention, with respect to the States that have accepted the contentious jurisdiction of the Inter-American Court, nor will it affect the confidential nature of the report issued in accordance with Article 50 of said instrument. This practice, which is intended to give predictability to the parties that they will be notified of a decision on the merits, will begin to be implemented as of 2025.

84. On the other hand, in implementation of Resolution 1/16<sup>4</sup> on *measures to reduce the procedural backlog*, in order to give effect to Article 36.3 of its Rules of Procedure, 2024, the Commission approved 43 reports in which the treatment of admissibility was deferred until the debate and decision on the merits. These assumptions are based, on one side, on the need to implement decisive measures to reduce the procedural backlog, to ensure that the passage of time does not prevent the Commission's decisions from having a useful effect and; on the other, on the objective of acting more expeditiously in cases of gravity and urgency, as provided for in Article 36.3.b of the Rules of Procedure.

85. For its part, with a view to optimizing the management of physical files of active petitions and cases, the Executive Secretariat implemented a new easy-access tool designed to enable the staff of the Deputy Executive Secretariat for Petitions and Cases to request physical files and manage their timely return.

86. Finally, as regards the use of better technologies to speed up case management, 2024 was a period of stabilization of the new central system for processing cases of the System of Petitions and Cases and Precautionary Measures (Sistema de Peticiones y Casos y Medidas Cautelares -GAIA-), and of strengthening the capacities of the members of the Executive Secretariat. During this year, the sending of duly foliated pertinent parts became an increasingly frequent practice in the processing processes. It is important to highlight that the initial challenges in processing times, derived from the gradual implementation of the new system in 2023,

<sup>4</sup> Available at: <https://www.oas.org/en/iachr/decisions/pdf/Resolution-1-16-en.pdf>.

have been overcome. As a result, the year 2024 concludes with a reduction in the number of communications pending processing in active contentious cases, compared to the situation prior to the launch of GAIA. Taking advantage of the new functionalities offered by the GAIA system, the Commission, through its Executive Secretariat, also established a new format for acknowledging receipt of new petitions that, in compliance with Article 29.1 of the IACHR Rules of Procedure, provides relevant information to the petitioning party on the filing of its complaint.

### 3. Archiving

87. Regarding the petitions under initial review, the Commission, as part of its annual portfolio management exercise, individually examined the cases in which, having previously advised the petitioning party of the possibility of archiving based on the provisions of Article 42.1 of the Rules of Procedure<sup>5</sup>, no response had been obtained. Consequently, on December 31, 2024, the IACHR decided to definitively archive 153 petitions under initial review.

88. On December 4, 2024, the Commission archived 152 cases in contentious proceedings, in accordance with Article 42 of its Rules of Procedure. Except in those situations in which the withdrawal was expressed by the petitioning party in accordance with Article 41 of the same Rules of Procedure, the IACHR notified the archiving without having received any response.

89. Pursuant to Article 17.2.a of the Commission's Rules of Procedure, the members of the Commission did not participate in the debate or in the decision to archive the matters in respect of which they are nationals. In turn, Commissioner Carlos Bernal Pulido and Commissioner Andrea Pochak, based on Article 17.3 of the Commission's Rules of Procedure, expressed their willingness to abstain from participating in the study and decision to archive the cases presented regarding the United States of America and petition P-2744-19 (Bolivia), respectively. The Inter-American Commission accepted their decision to excuse themselves, and therefore said Commissioners did not participate in respective examinations.

90. It is important to remember that, since 2018, the Commission has considered it necessary to confirm the interest of the petitioning party in continuing with a proceeding when a period of inactivity is registered for a period of three years. In the absence of such confirmation, the Commission may proceed to close the case. In turn, the Commission has understood the petitioning party's failure to submit observations on the merits, a requirement set forth in Article 37.1 of the IACHR Rules of Procedure, as a serious indication of lack of interest that may result in the case being closed under the terms set forth in Article 42.1.b of the same instrument.

91. The following is a list of the petitions in process, in which during 2024 the IACHR decided to archive them.

#### a. Petitions under initial review

No.	Country	Petition	Year	Procedural stage
1	Argentina	P-2137-17	2017	<i>Initial Review</i>
2	Argentina	P-455-21	2021	<i>Initial Review</i>
3	Argentina	P-520-21	2021	<i>Initial Review</i>
4	Argentina	P-774-21	2021	<i>Initial Review</i>
5	Argentina	P-654-22	2022	<i>Initial Review</i>

<sup>5</sup> With respect to the criterion set forth in Article 42.1.b of the Rules of Procedure, the IACHR considers as unjustified the procedural inactivity of the petitioning party of more than 2 years in the petitions under initial study, with a decision to process them. Another serious indication of lack of interest in the processing of a petition, in the terms of the aforementioned article, is the failure to respond to a request to complete the relevant parts of a complaint for its eventual notification to the State.



6	Argentina	P-1419-22	2022	<i>Initial Review</i>
7	Argentina	P-2068-22	2022	<i>Initial Review</i>
8	Argentina	P-825-23	2023	<i>Initial Review</i>
9	Belize	P-1033-18	2018	<i>Initial Review</i>
10	Brazil	P-2206-18	2018	<i>Initial Review</i>
11	Chile	P-306-19	2019	<i>Initial Review</i>
12	Chile	P-1478-19	2019	<i>Initial Review</i>
13	Chile	P-1560-19	2019	<i>Initial Review</i>
14	Chile	P-2912-19	2019	<i>Initial Review</i>
15	Chile	P-1017-20	2020	<i>Initial Review</i>
16	Chile	P-1129-20	2020	<i>Initial Review</i>
17	Chile	P-230-21	2021	<i>Initial Review</i>
18	Chile	P-324-21	2021	<i>Initial Review</i>
19	Chile	P-817-21	2021	<i>Initial Review</i>
20	Chile	P-862-21	2021	<i>Initial Review</i>
21	Chile	P-301-23	2023	<i>Initial Review</i>
22	Chile	P-1657-23	2023	<i>Initial Review</i>
23	Chile	P-1972-23	2023	<i>Initial Review</i>
24	Colombia	P-757-16	2016	<i>Initial Review</i>
25	Colombia	P-2391-18	2018	<i>Initial Review</i>
26	Colombia	P-68-19	2019	<i>Initial Review</i>
27	Colombia	P-79-19	2019	<i>Initial Review</i>
28	Colombia	P-501-19	2019	<i>Initial Review</i>
29	Colombia	P-1057-19	2019	<i>Initial Review</i>
30	Colombia	P-1285-19	2019	<i>Initial Review</i>
31	Colombia	P-1602-19	2019	<i>Initial Review</i>
32	Colombia	P-2599-19	2019	<i>Initial Review</i>
33	Colombia	P-2738-19	2019	<i>Initial Review</i>
34	Colombia	P-2739-19	2019	<i>Initial Review</i>
35	Colombia	P-2750-19	2019	<i>Initial Review</i>
36	Colombia	P-2940-19	2019	<i>Initial Review</i>
37	Colombia	P-2977-19	2019	<i>Initial Review</i>
38	Colombia	P-439-20	2020	<i>Initial Review</i>
39	Colombia	P-775-20	2020	<i>Initial Review</i>
40	Colombia	P-1226-20	2020	<i>Initial Review</i>
41	Colombia	P-1328-20	2020	<i>Initial Review</i>
42	Colombia	P-1423-20	2020	<i>Initial Review</i>
43	Colombia	P-1462-20	2020	<i>Initial Review</i>
44	Colombia	P-1489-20	2020	<i>Initial Review</i>
45	Colombia	P-1501-20	2020	<i>Initial Review</i>

46	Colombia	P-1625-20	2020	<i>Initial Review</i>
47	Colombia	P-1704-20	2020	<i>Initial Review</i>
48	Colombia	P-1889-20	2020	<i>Initial Review</i>
49	Colombia	P-1929-20	2020	<i>Initial Review</i>
50	Colombia	P-1958-20	2020	<i>Initial Review</i>
51	Colombia	P-1988-20	2020	<i>Initial Review</i>
52	Colombia	P-2016-20	2020	<i>Initial Review</i>
53	Colombia	P-2166-20	2020	<i>Initial Review</i>
54	Colombia	P-2232-20	2020	<i>Initial Review</i>
55	Colombia	P-2270-20	2020	<i>Initial Review</i>
56	Colombia	P-26-21	2021	<i>Initial Review</i>
57	Colombia	P-70-21	2021	<i>Initial Review</i>
58	Colombia	P-335-21	2021	<i>Initial Review</i>
59	Colombia	P-466-21	2021	<i>Initial Review</i>
60	Colombia	P-488-21	2021	<i>Initial Review</i>
61	Colombia	P-540-21	2021	<i>Initial Review</i>
62	Colombia	P-625-21	2021	<i>Initial Review</i>
63	Colombia	P-712-21	2021	<i>Initial Review</i>
64	Colombia	P-746-21	2021	<i>Initial Review</i>
65	Colombia	P-778-21	2021	<i>Initial Review</i>
66	Colombia	P-779-21	2021	<i>Initial Review</i>
67	Colombia	P-898-21	2021	<i>Initial Review</i>
68	Colombia	P-1037-21	2021	<i>Initial Review</i>
69	Colombia	P-1046-21	2021	<i>Initial Review</i>
70	Colombia	P-1047-21	2021	<i>Initial Review</i>
71	Colombia	P-1635-21	2021	<i>Initial Review</i>
72	Colombia	P-1706-21	2021	<i>Initial Review</i>
73	Colombia	P-1817-21	2021	<i>Initial Review</i>
74	Colombia	P-1339-22	2022	<i>Initial Review</i>
75	Colombia	P-2089-22	2022	<i>Initial Review</i>
76	Colombia	P-2091-22	2022	<i>Initial Review</i>
77	Colombia	P-1247-24	2024	<i>Initial Review</i>
78	Cuba	P-1237-21	2021	<i>Initial Review</i>
79	Cuba	P-1867-21	2021	<i>Initial Review</i>
80	Ecuador	P-996-20	2020	<i>Initial Review</i>
81	Ecuador	P-1500-20	2020	<i>Initial Review</i>
82	Ecuador	P-1790-21	2021	<i>Initial Review</i>
83	Ecuador	P-640-22	2022	<i>Initial Review</i>
84	United States	P-1326-14	2014	<i>Initial Review</i>
85	United States	P-1125-17	2017	<i>Initial Review</i>

86	United States	P-2512-18	2018	<i>Initial Review</i>
87	United States	P-15-20	2020	<i>Initial Review</i>
88	United States	P-1303-22	2022	<i>Initial Review</i>
89	Honduras	P-768-17	2017	<i>Initial Review</i>
90	Mexico	P-134-16	2016	<i>Initial Review</i>
91	Mexico	P-1242-19	2019	<i>Initial Review</i>
92	Mexico	P-1426-19	2019	<i>Initial Review</i>
93	Mexico	P-1744-19	2019	<i>Initial Review</i>
94	Mexico	P-2003-19	2019	<i>Initial Review</i>
95	Mexico	P-2364-19	2019	<i>Initial Review</i>
96	Mexico	P-2494-19	2019	<i>Initial Review</i>
97	Mexico	P-2756-19	2019	<i>Initial Review</i>
98	Mexico	P-3039-19	2019	<i>Initial Review</i>
99	Mexico	P-7-20	2020	<i>Initial Review</i>
100	Mexico	P-140-20	2020	<i>Initial Review</i>
101	Mexico	P-233-20	2020	<i>Initial Review</i>
102	Mexico	P-277-20	2020	<i>Initial Review</i>
103	Mexico	P-368-20	2020	<i>Initial Review</i>
104	Mexico	P-1075-20	2020	<i>Initial Review</i>
105	Mexico	P-1183-20	2020	<i>Initial Review</i>
106	Mexico	P-1822-20	2020	<i>Initial Review</i>
107	Mexico	P-1924-20	2020	<i>Initial Review</i>
108	Mexico	P-2129-20	2020	<i>Initial Review</i>
109	Mexico	P-336-21	2021	<i>Initial Review</i>
110	Mexico	P-435-21	2021	<i>Initial Review</i>
111	Mexico	P-442-21	2021	<i>Initial Review</i>
112	Mexico	P-443-21	2021	<i>Initial Review</i>
113	Mexico	P-446-21	2021	<i>Initial Review</i>
114	Mexico	P-449-21	2021	<i>Initial Review</i>
115	Mexico	P-517-21	2021	<i>Initial Review</i>
116	Mexico	P-653-21	2021	<i>Initial Review</i>
117	Mexico	P-793-21	2021	<i>Initial Review</i>
118	Mexico	P-811-21	2021	<i>Initial Review</i>
119	Mexico	P-826-21	2021	<i>Initial Review</i>
120	Mexico	P-877-21	2021	<i>Initial Review</i>
121	Mexico	P-1174-21	2021	<i>Initial Review</i>
122	Mexico	P-1192-21	2021	<i>Initial Review</i>
123	Mexico	P-1891-21	2021	<i>Initial Review</i>
124	Mexico	P-2205-21	2021	<i>Initial Review</i>
125	Mexico	P-1720-22	2022	<i>Initial Review</i>

126	Mexico	P-2432-22	2022	<i>Initial Review</i>
127	Mexico	P-196-23	2023	<i>Initial Review</i>
128	Mexico	P-1213-23	2023	<i>Initial Review</i>
129	Nicaragua	P-1449-18	2018	<i>Initial Review</i>
130	Nicaragua	P-1524-19	2019	<i>Initial Review</i>
131	Nicaragua	P-2535-19	2019	<i>Initial Review</i>
132	Nicaragua	P-149-20	2020	<i>Initial Review</i>
133	Nicaragua	P-936-22	2022	<i>Initial Review</i>
134	Nicaragua	P-14-23	2023	<i>Initial Review</i>
135	Nicaragua	P-148-23	2023	<i>Initial Review</i>
136	Peru	P-2026-18	2018	<i>Initial Review</i>
137	Peru	P-2819-19	2019	<i>Initial Review</i>
138	Peru	P-902-20	2020	<i>Initial Review</i>
139	Peru	P-970-20	2020	<i>Initial Review</i>
140	Peru	P-1351-20	2020	<i>Initial Review</i>
141	Peru	P-2144-20	2020	<i>Initial Review</i>
142	Peru	P-1715-21	2021	<i>Initial Review</i>
143	Peru	P-1846-21	2021	<i>Initial Review</i>
144	Peru	P-1911-21	2021	<i>Initial Review</i>
145	Peru	P-1950-21	2021	<i>Initial Review</i>
146	Peru	P-2094-21	2021	<i>Initial Review</i>
147	Peru	P-9-22	2022	<i>Initial Review</i>
148	Peru	P-58-22	2022	<i>Initial Review</i>
149	Peru	P-222-22	2022	<i>Initial Review</i>
150	Peru	P-1372-23	2023	<i>Initial Review</i>
151	Venezuela	P-1548-20	2020	<i>Initial Review</i>
152	Venezuela	P-289-22	2022	<i>Initial Review</i>
153	Venezuela	P-1894-22	2022	<i>Initial Review</i>

**b. Petitions in admissibility stage and cases in merits stage**

No.	State	Number of petition	Year	Name	Procedural stage
1	Argentina	P-247-12	2012	Lilio Ezequiel Jiménez Flores	<i>Admissibility</i>
2	Argentina	P-309-13	2013	Héctor Leonardo Reyep	<i>Admissibility</i>
3	Argentina	P-407-14	2014	Francisco Salvador Pipito	<i>Admissibility</i>
4	Argentina	P-1566-14	2014	Ceferino Fabián Almeyra	<i>Admissibility</i>
5	Argentina	P-200-15	2015	César Ricardo Melazo	<i>Admissibility</i>
6	Argentina	P-2026-17	2017	Josefa Jeronima Morlando	<i>Admissibility</i>
7	Argentina	P-251-17	2017	Miguel Angel Nieva	<i>Admissibility</i>

8	Argentina	P-499-17	2017	Braian Denis Emanuel Hernández and Elizabeth Genoveva Hernández	<i>Admissibility</i>
9	Argentina	P-2290-18	2018	Gladys Marisa Isabel Cugnini	<i>Admissibility</i>
10	Argentina	P-2930-18	2018	Julio Marcos Víctor Rougés	<i>Admissibility</i>
11	Argentina	P-1406-19	2019	Raúl Eduardo Flores Burga	<i>Admissibility</i>
12	Argentina	P-2326-19	2019	Eda Beatriz Melo and family	<i>Admissibility</i>
13	Argentina	P-2278-19	2019	Gil Pereg	<i>Admissibility</i>
14	Bolivia	P-1167-12	2012	René Yucra Mamani and family	<i>Admissibility</i>
15	Bolivia	P-2461-16	2016	Ángel Aparaya and others	<i>Admissibility</i>
16	Bolivia	P-2370-18	2018	Consejo Nacional de Ayllus y Markas del Quallasuyu - CONAMAQ	<i>Admissibility</i>
17	Bolivia	P-334-19	2019	Roberto Carlo Durán Lara	<i>Admissibility</i>
18	Bolivia	P-2744-19	2019	Facundo Molares Schoenfeld	<i>Admissibility</i>
19	Bolivia	P-976-20	2020	Gonzalo Felipe Medina Sánchez	<i>Admissibility</i>
20	Brazil	P-1210-10	2010	Nair Assis Ferreira Souza and others	<i>Admissibility</i>
21	Brazil	P-947-11	2011	Fábio Tadeu Zambon Mendes	<i>Admissibility</i>
22	Brazil	P-1085-11	2011	Francisco Rocha	<i>Admissibility</i>
23	Brazil	P-842-12	2012	Rosa Maria Schmidt de Araujo Almeida	<i>Admissibility</i>
24	Brazil	15.248	2014	Márcio José Sabino Pereira and family	<i>Merits</i>
25	Brazil	P-252-14	2014	Yvone Araujo Carneiro	<i>Admissibility</i>
26	Brazil	P-1933-16	2016	Ravy Silva and Silva	<i>Admissibility</i>
27	Brazil	P-2464-16	2016	Arthur Agnes Lima	<i>Admissibility</i>
28	Brazil	P-831-20	2020	Elvis Riola de Andrade	<i>Admissibility</i>
29	Chile	P-2388-12	2012	Carlos Roberto del Río Prieto	<i>Admissibility</i>
30	Chile	P-2421-12	2012	David Contreras Macías	<i>Admissibility</i>
31	Chile	P-732-13	2013	Miguel Palma Torres	<i>Admissibility</i>
32	Chile	P-796-13	2013	Pehuenche Paulino Huaiquillan Indigenous Community	<i>Admissibility</i>
33	Colombia	P-1161-08	2008	Alvaro Enrique Castro Ramírez y Juan Carlos Ramos Rojas	<i>Admissibility</i>
34	Colombia	P-1037-09	2009	Pierre Alberto Potes Moreno	<i>Admissibility</i>
35	Colombia	14.514	2010	Edilson Antonio Osorio	<i>Merits</i>
36	Colombia	P-1739-11	2011	Juan Carlos Martínez Sinisterra	<i>Admissibility</i>
37	Colombia	P-324-12	2012	Alberto Rafael Santofimio Botero	<i>Admissibility</i>
38	Colombia	P-2031-13	2013	Hugo Guerrero Cuott and others	<i>Admissibility</i>
39	Colombia	P-2038-13	2013	Wilson Aldana Salgado and family	<i>Admissibility</i>

40	Colombia	P-2258-12	2013	Gloria Amparo Quintero Marin	<i>Admissibility</i>
41	Colombia	P-94-14	2014	Nora Ramirez y Jorge Emilio Pizarro Ramirez	<i>Admissibility</i>
42	Colombia	P-1425-14	2014	Comunidad Negra, Afrocolombiana, Palenquera and Raizal	<i>Admissibility</i>
43	Colombia	P-506-16	2016	Never Antonio Martínez Osorio	<i>Admissibility</i>
44	Colombia	P-2458-16	2016	Residents of Mampuján and Vereda Las Brisas	<i>Admissibility</i>
45	Colombia	P-247-17	2017	Bolivar Proaños Tovar and family	<i>Admissibility</i>
46	Colombia	P-497-17	2017	Clodomiro Clavijo Rodriguez and family	<i>Admissibility</i>
47	Colombia	P-693-17	2017	Jean Carlo Escobar Ramirez and family	<i>Admissibility</i>
48	Colombia	P-783-17	2017	Alvaro León Yepes Agudelo and family	<i>Admissibility</i>
49	Colombia	P-697-18	2018	Cristian Francisco Gómez Arango, Mauricio Ricardo Camargo, Robinson López Ramos, Yobany Orlando Parra Arévalo and Yeison Armando Gómez Ortiz	<i>Admissibility</i>
50	Colombia	P-926-18	2018	Aliesneider Gómez Rondón.	<i>Admissibility</i>
51	Colombia	P-2234-18	2018	Alejandro Mazo Pulgarin	<i>Admissibility</i>
52	Colombia	P-2698-18	2018	Andrés De Jesús Vélez Franco and family	<i>Admissibility</i>
53	Costa Rica	P-186-08	2008	Edgar Segura Mora	<i>Admissibility</i>
54	Costa Rica	P-320-08	2008	Carlos E. Abalos Chabarría (also Carlos E. Abalos Chavarría)	<i>Admissibility</i>
55	Costa Rica	P-796-09	2009	Marco Tulio Sandoval Meza	<i>Admissibility</i>
56	Costa Rica	P-1157-09	2009	Gabriel Orlando Vargas Méndez	<i>Admissibility</i>
57	Costa Rica	P-1356-09	2009	Camilo Silva Vallejos	<i>Admissibility</i>
58	Costa Rica	P-1506-10	2010	Alfredo Carrillo León	<i>Admissibility</i>
59	Costa Rica	P-1237-10	2010	Martin Alonso Cordero Vindas	<i>Admissibility</i>
60	Costa Rica	P-754-11	2011	L.A.S.V.	<i>Admissibility</i>
61	Costa Rica	P-1054-11	2011	Mario Morales Guzman	<i>Admissibility</i>
62	Costa Rica	P-669-13	2013	Noé Pablo Azofeifa Marín	<i>Admissibility</i>
63	Costa Rica	P-1061-13	2013	Eduardo Alvarado Arce	<i>Admissibility</i>
64	Costa Rica	P-2638-18	2018	Braydon Sequeira	<i>Admissibility</i>
65	Costa Rica	P-2947-18	2018	23 Indigenous territories of Costa Rica	<i>Admissibility</i>
66	Costa Rica	P-1727-19	2019	Ahmed Mohammed	<i>Admissibility</i>
67	Cuba	P-176-19	2019	Eliécer Bandera Barreras and others	<i>Admissibility</i>
68	Cuba	P-693-19	2019	Hugo Damián Prieto Blanco.	<i>Admissibility</i>

69	Cuba	P-806-19	2019	Marbel Mendoza Reyes.	<i>Admissibility</i>
70	Ecuador	P-919-14	2014	Ana Cristina Campaña Sandoval and others	<i>Admissibility</i>
71	Ecuador	P-555-16	2016	Antonio Arenas Contreras	<i>Admissibility</i>
72	Ecuador	P-1274-18	2018	Cesar Benito Baquerizo Bustos	<i>Admissibility</i>
73	Ecuador	P-1828-18	2018	Patricia Alexandra Sanguña Palacios	<i>Admissibility</i>
74	Guatemala	P-1971-18	2018	Agustín Leonidas Castro	<i>Admissibility</i>
75	Haiti	P-2151-15	2015	Maryse Narcisse	<i>Admissibility</i>
76	Honduras	P-1172-18	2018	Patricio Pravia Kiblan, Darly Tadeo Soto and Jobal Damacio Becan	<i>Admissibility</i>
77	Honduras	P-2097-18	2018	Olden Oulson Baday Valdez	<i>Admissibility</i>
78	Mexico	P-27-08	2008	Rodolfo Sergio García and Díaz	<i>Admissibility</i>
79	Mexico	P-950-10	2010	Waldo Orlando García Ferrera	<i>Admissibility</i>
80	Mexico	P-472-11	2011	Horacio Culebro Borrayas	<i>Admissibility</i>
81	Mexico	P-281-12	2012	Richard Hernández Alemán	<i>Admissibility</i>
82	Mexico	P-459-12	2012	Arley Alfonso Gonzalez Sterling	<i>Admissibility</i>
83	Mexico	P-794-12	2012	Alberto Núñez Esteva and others	<i>Admissibility</i>
84	Mexico	P-436-13	2013	Hilda Amparo Vázquez Moctezuma	<i>Admissibility</i>
85	Mexico	P-834-13	2013	José Del Carmen Custodio Morales and others	<i>Admissibility</i>
86	Mexico	P-1019-13	2013	Jorge García Montes de Oca	<i>Admissibility</i>
87	Mexico	P-1077-13	2013	Victor Manuel Zuñiga Castañeda	<i>Admissibility</i>
88	Mexico	P-1329-13	2013	Dignora Zamora and family	<i>Admissibility</i>
89	Mexico	P-1343-13	2013	Edgar Quiroz Ureña, Edgar Quiroz Zaragoza and Zayra Jazmin Ureña Cisneros	<i>Admissibility</i>
90	Mexico	P-1753-13	2013	Ramón Calleros Cossío and others	<i>Admissibility</i>
91	Mexico	P-1883-13	2013	Antonio Guzmán Vázquez and Enriqueta Gómez Escobar	<i>Admissibility</i>
92	Mexico	P-1984-13	2013	Tierra and Libertad, Nuevo León Community	<i>Admissibility</i>
93	Mexico	P-2058-13	2013	Marlene Zúñiga Ornelas and daughter	<i>Admissibility</i>
94	Mexico	P-2073-13	2013	Karla Jaqueline Ayala Fragoso and others	<i>Admissibility</i>
95	Mexico	P-1619-14	2014	Dennys Stanley Santamaria	<i>Admissibility</i>
96	Mexico	P-299-15	2015	Pedro Salvador Montés García	<i>Admissibility</i>
97	Mexico	P-479-16	2016	Octavio Tapia Rodriguez	<i>Admissibility</i>
98	Mexico	P-1662-16	2016	Geovanni Barrios Hernandez.	<i>Admissibility</i>
99	Mexico	P-2169-16	2016	Jose Armando Mendez	<i>Admissibility</i>



100	Mexico	P-2243-16	2016	Celedonio Lara Escudero	<i>Admissibility</i>
101	Mexico	P-2660-16	2016	Jose Isaias Sanchez García.	<i>Admissibility</i>
102	Mexico	P-130-17	2017	Alessandro de la Garza Lozano	<i>Admissibility</i>
103	Mexico	P-1644-17	2017	Refugio Vargas Valentin and Michel Vargas Valentin	<i>Admissibility</i>
104	Mexico	P-2145-17	2017	Sabino Torres Solís	<i>Admissibility</i>
105	Mexico	P-2445-17	2017	Oscar Osvaldo García Montoya.	<i>Admissibility</i>
106	Mexico	P-802-18	2018	Flavio Camacho Amador	<i>Admissibility</i>
107	Mexico	P-837-18	2018	Genaro Alberto Jacquez Valdez	<i>Admissibility</i>
108	Mexico	P-1515-18	2018	José Remedios Aguirre Sánchez	<i>Admissibility</i>
109	Mexico	P-2130-18	2018	Sergio Paz Álvarez	<i>Admissibility</i>
110	Mexico	P-2144-18	2018	Luis Ernesto Ramírez Vázquez	<i>Admissibility</i>
111	Mexico	P-2507-18	2018	Didier Benjamín Hernández Rojo	<i>Admissibility</i>
112	Mexico	P-751-19	2019	Meliza Margarita Calderón Ojeda	<i>Admissibility</i>
113	Mexico	P-1098-19	2019	Juan Cruz Rayo	<i>Admissibility</i>
114	Mexico	P-1134-19	2019	Pomplio Walterio Roblero Hidalgo	<i>Admissibility</i>
115	Mexico	P-1138-19	2019	José Manuel Escobedo Delgadillo.	<i>Admissibility</i>
116	Mexico	P-1237-19	2019	Javier Cenicerros Meza	<i>Admissibility</i>
117	Mexico	P-1447-19	2019	N.L.A.	<i>Admissibility</i>
118	Mexico	P-1635-19	2019	Roque Alva Andrade	<i>Admissibility</i>
119	Mexico	P-2700-19	2019	Andrés Martínez Balcázar.	<i>Admissibility</i>
120	Mexico	P-2778-19	2019	Mario Hernandez Rosales	<i>Admissibility</i>
121	Mexico	P-2882-19	2019	David Jhovanny García Chávez and Richar García Chávez	<i>Admissibility</i>
122	Mexico	P-2895-19	2019	Oscar Alejandro Lemus.	<i>Admissibility</i>
123	Mexico	P-215-20	2020	Aurelio Xolo Gozcón.	<i>Admissibility</i>
124	Mexico	P-446-20	2020	Carlos Frayre Castro.	<i>Admissibility</i>
125	Mexico	P-1431-22	2022	Rafael Alejandro Moreno Cardenas	<i>Admissibility</i>
126	Nicaragua	15.019	2018	Vicente Rappaccoli Navas and family	<i>Merits</i>
127	Nicaragua	P-1056-18	2018	Carlos Manuel López	<i>Admissibility</i>
128	Nicaragua	P-1071-18	2018	Julio Cesar Espinoza Cardoza and family	<i>Admissibility</i>
129	Nicaragua	P-1232-18	2018	Noel Ramón Calderón Lagos and Humberto Antonio Parrales Reyes	<i>Admissibility</i>
130	Nicaragua	15.628	2022	Lester José Aguilar Rivera.	<i>Merits</i>
131	Panama	P-526-13	2013	Anne Appolonia Okwuka and family	<i>Admissibility</i>
132	Panama	P-979-16	2016	Claudio Calle Lugo	<i>Admissibility</i>



133	Panama	P-1625-19	2019	Eric Alberto Berbey	<i>Admissibility</i>
134	Peru	13.875	2010	G.F.C.C. and others	<i>Merits</i>
135	Peru	P-974-13	2013	Adán Cóndor Cerrón	<i>Admissibility</i>
136	Peru	P-56-15	2015	Luis Alfredo Escalante Bartra	<i>Admissibility</i>
137	Peru	P-2111-15	2015	Maria Hortensia Miranda Yataco	<i>Admissibility</i>
138	Peru	P-950-15	2015	Silvana María Portocarrero Denegri	<i>Admissibility</i>
139	Peru	P-1103-15	2015	Gastón Molina Huamán	<i>Admissibility</i>
140	Peru	15.182	2016	Nestor Esteban Fernández Ramírez.	<i>Merits</i>
141	Peru	P-240-17	2017	Oscar Avelino Mollohuanca Cruz and others	<i>Admissibility</i>
142	Peru	P-2334-17	2017	Francisco de Paula Arístides Boza Olivari	<i>Admissibility</i>
143	Peru	P-253-20	2020	Victor Manuel Lemiña Cores.	<i>Admissibility</i>
144	United States	P-1515-11	2011	Samuel Alando Walker	<i>Admissibility</i>
145	United States	13.623	2016	A.E.S.G. et al	<i>Merits</i>
146	United States	P-825-16	2016	Casey Ates	<i>Admissibility</i>
147	United States	P-405-18	2018	Michael T. Lambert	<i>Admissibility</i>
148	United States	P-502-18	2018	G-A-C and others to be identified	<i>Admissibility</i>
149	United States	P-1758-20	2020	Rajdeep Singh Thind	<i>Admissibility</i>
150	Venezuela	P-1032-19	2019	Junior Gerardo Rojas Gutierrez, Melvin Gregorio Farias Gutierrez	<i>Admissibility</i>
151	Venezuela	P-228-20	2020	Julio César Vélez González.	<i>Admissibility</i>
152	Venezuela	P-708-21	2021	Cesar Sebastiano Rafael Millan Abolio	<i>Admissibility</i>

#### 4. Portfolio meetings and information for member states

92. In order to guarantee access to information related to the fulfillment of its mandate and to foster a culture of active transparency of the information under its control, the Assistant Executive Secretariat for Petitions and Cases, at the request of the Commission, provided information on the *status* of the portfolios of petitions and cases pending before the IACHR on 24 occasions, with respect to 17 Member States of the Organization of American States (OAS).

93. Of these 24, 17 consisted of virtual, in person and hybrid (virtual and in person) meetings for detailed review of their portfolios, which were sought with respect to the States of Argentina, Bolivia, Brazil, Canada, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, Honduras, Mexico, Panama, Paraguay, Peru, United States of America, and Bahamas. The remaining six dealt with specific requests on the *status* of portfolios of petitions and cases presented by Bolivia, Chile, Colombia, Mexico and Paraguay.

94. This unprecedented volume of interactions reported by the Executive Secretariat in 2024 required a strategic approach to identify the portfolios that, due to their complexity or volume, would benefit the most from the synergies generated in these meetings between the technical teams of the Executive Secretariat of the Commission and the States. It also required exhaustive updating, verification and

transparency of data, which resulted in significant progress towards a more efficient management of the portfolio of cases before the Inter-American Human Rights System.

## 5. Hearings on contentious cases

95. During 2024, in accordance with Article 64 of the Rules of Procedure, the Commission held a total of eight public hearings on pending cases. In such hearings, the Commission received testimonial or expert evidence and heard arguments from the parties involved.

96. Some of the hearings were held at the request of the parties, while others were called *ex officio* by the Commission, since they were related to matters under its review and deliberation. This allows the Commission to have more evidence on the issues under debate between the parties, as well as updated information before issuing its pronouncement.

97. The Commission held hearings on the following cases:

- Case 13.159, [Communities of the Maya Q'eqchi' People](#) v. Guatemala, February 26, 2024.
- Case 13.583, [League of Displaced Women](#) v. Colombia, February 26, 2024.<sup>6</sup>
- Case 12.325, [Community of San José de Apartadó](#) vs. Colombia, July 8, 2024.<sup>7</sup>
- Case 14.950, [José Miguel Vega Bas et al.](#) v. Chile, July 10, 2024.
- Case 15.169, [Michael Brown Jr. and Lesley Mcfadden](#) v. United States, July 11, 2024.<sup>8</sup>
- Case 13.811, [Carlos Pizarro Leongómez](#) v. Colombia, November 12, 2024.<sup>9</sup>
- Case 14.712, [Martín Ezequiel Bustos Concone](#) v. Mexico, November 13, 2024.<sup>10</sup>
- Case 14.838, [PRM. JS et al.](#) v. Brazil, November 14, 2024.

## 6. Cases in transition

98. Article 51.1 of the ACHR establishes that, after having been notified of the report issued in accordance with Article 50 of the same instrument, the Commission may submit it to the jurisdiction of the Inter-American Court within a period of three months. However, based on the requirements established in Article 46 of its Rules of Procedure, the IACHR may suspend this term and extend it for a specific period, provided that the State has demonstrated its willingness and ability to implement the recommendations, and expressly and irrevocably accepts the suspension of the term. This has led to the implementation of the Commission's recommendations in the merits reports of several cases, in which it plays an active role in monitoring the status of compliance with the recommendations. The IACHR currently has 101 cases at this

<sup>6</sup> Commissioner Carlos Bernal Pulido, based on Article 17.2 of the Commission's Rules of Procedure, did not participate in the public hearing.

<sup>7</sup> Commissioner Carlos Bernal Pulido, based on Article 17.2 of the Commission's Rules of Procedure, did not participate in the public hearing.

<sup>8</sup> Commissioner Carlos Bernal Pulido, based on Article 17.3 of the Commission's Rules of Procedure, did not participate in the public hearing.

<sup>9</sup> Commissioner Carlos Bernal Pulido, based on Article 17.2 of the Commission's Rules of Procedure, did not participate in the public hearing.

<sup>10</sup> Commissioner José Luis Caballero and Commissioner Andrea Pochak, based on Articles 17.2 and 17.3 of the Commission's Rules of Procedure, respectively, have not participated in the public hearing.

stage, which are reviewed periodically to decide in a timely manner on whether to send them to the Inter-American Court or to publish them.

99. As part of the Commission's active role in this phase, it continued to hold working meetings on the issues in transition, which were chaired by the commissioners and rapporteurs of each country. During 2024, the IACHR held 27 working meetings with the parties, both in person and virtually. The purpose of the meetings was to obtain information on the progress made by the State to comply with the recommendations issued by the IACHR in its merits reports and to support the parties in the dialogue on the measures necessary for compliance. As a result of these meetings, among other specific progresses, the creation of roadmaps for the implementation of the recommendations, the elaboration of proposals and counterproposals to reach compliance agreements, the beginning of the implementation of rehabilitation measures, and the delivery of schedules of actions to be taken in the short and medium term were obtained. The working meetings also served to evaluate the possibilities of continuing to follow up on compliance in the transition stage or submitting the case to the contentious jurisdiction of the Inter-American Court.

100. The Commission recognizes and appreciates the goodwill of the States that participated in these meetings, which were attended by delegations that included authorities from the various institutions involved in compliance with the recommendations and provided updated information on progress in the implementation of various measures. It also appreciates the participation of the victims and their representatives and the information they have provided.

101. In 2024, the IACHR continued to send written communications during this stage, requesting specific information or preparing technical notes to promote compliance with the recommendations and ensure comprehensive reparations in accordance with the standards of the Inter-American system. Within this framework, the Commission prepared four technical notes. Three of them included precedents on compensation or satisfaction measures, based on cases decided by the Inter-American Court, with the objective of facilitating dialogue between the parties. The IACHR also evaluated a specific proposal for pecuniary reparation presented by the State, verifying its conformity with Inter-American standards. Another technical note had the purpose of clarifying the inclusion of certain victims in relation to the right to residence and freedom of movement, in accordance with a Report on Admissibility and Merits, which allowed the State to identify the universe of victims and advance in compliance. Finally, the Commission issued an additional note in which it analyzed the scope of the obligation to investigate diligently, effectively, with a gender perspective and within a reasonable period the human rights violations declared in the report, considering the effects of *res judicata* and the statute of limitations.

102. When granting an extension under the terms of Article 46 of the IACHR Rules of Procedure, the States involved have had to demonstrate their willingness and ability to comply with the recommendations of the respective merits report for the Commission to extend the deadline again. In 2024, the Commission adopted a total of 362 decisions in which it evaluated the granting of a new extension, publications or referrals of cases to the Inter-American Court.

103. During 2024, information was received on progress made by some States in complying with the merits reports. In particular, the Commission recorded 340 measures taken by the States, including the payment of compensation amounts to victims or negotiation processes between the parties based on the principle of agreement; progress in judicial proceedings in the domestic jurisdiction to investigate the human rights violations declared in the report, including the identification and conviction of some perpetrators; progress in identifying the fate or whereabouts of missing victims; measures to provide health services to victims by State institutions; the allocation of housing and the signing of compliance agreements with measures of economic reparation, satisfaction and guarantees of non-repetition. The IACHR noted favorably that some States carried out the trainings recommended in the merits report. The topics include, among others, standards related to the use of force, effective judicial protection for persons in vulnerable conditions, due diligence in the investigation of cases of gender-based violence and disappearance of persons.

104. Within the framework of such compliance, the Commission actively sought to promote the negotiation processes and compliance agreements with the recommendations contained in the merits reports. During 2024, the Commission took note of the signing between the parties of 15 agreements on compliance with cases in transition and continued to follow up on the progress of 11 agreements that had been signed in previous years. The IACHR also participated in person as a guest at two events in which the State apologized to the victims and acknowledged international responsibility at this stage.

105. These activities allow the Commission to advance in the implementation of the strategic plan, adopting measures to ensure that more victims of human rights violations obtain justice by complying with the decisions of the merits reports and guaranteeing comprehensive reparation, which implies strengthening the management and attention capacities of the cases that are in transition in its Deputy Secretariat for Petitions and Cases.

## **C. Advances and challenges on negotiation and implementation of friendly settlements agreements**

### **1. Introduction**

106. The Inter-American Commission on Human Rights, presents in this chapter the work of promoting negotiations and compliance with friendly settlement agreements, as well as for the visibility of the efforts made by the IACHR in the framework of its Strategic Plan 2023-2027, to potentiate the friendly settlement mechanism, as an effective tool for the attention of matters that fall under the system of individual petitions and cases, as well as for obtaining full reparation by victims of human rights violations and to expand the use of the friendly settlement procedure as a strategy to address the procedural backlog<sup>11</sup>.

107. The Commission addresses in this chapter first [the relevant results in the negotiation processes and implementation of friendly settlement agreements](#), including the agreements fully complied with in 2024; the specific advances in the implementation of measures of friendly settlement agreements; the new agreements signed during the year; and the new friendly settlement follow up processes. On the other hand, [the activities for the promotion of friendly settlement agreements carried out during the year](#) are addressed, which includes the actions taken to promote negotiations and compliance with agreements; as well as the steps taken to promote the exchange and dissemination of good practices on the mechanism. Likewise, [the compliance status of the friendly settlement reports approved by the Commission](#) is presented in the light of article 49 of the American Convention and the [good practices](#) and [setbacks](#) observed in 2024 regarding friendly solutions are raised.

108. Lastly, it should be noted that in accordance with the provisions of Article 17.2.a of the Commission's Regulations, the Commissioner President Roberta Clarke, a national of Barbados, did not participate in the discussion or decisions of the reports concerning said country; nor did Commissioner Carlos Bernal Pulido, First Vice-President, or Commissioner José Luis Caballero, Second Vice-President, nationals of Colombia and Mexico, respectively, in matters concerning said countries; nor did Commissioners Andrea Pochak, with respect to Argentina, and Gloria Monique de Mees, in matters concerning Suriname, nor did Commissioner Edgar Stuardo Ralón Orellana, in matters concerning Guatemala.

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<sup>11</sup> In this regard, the Commission notes that, starting in 2019, it has published the progress and setbacks regarding friendly settlements as an independent chapter in its Annual Report for greater visibility of the mechanism and its transformative impact. See [IACHR, 2019 Annual Report, Chapter II, Section G, Friendly Settlements](#).

## 2. Relevant results on negotiation and implementation of friendly settlement agreements

### a. Friendly settlement agreements fully implemented in 2024

109. The Commission notes with satisfaction that, in 2024, progress was made in terms of full compliance with eleven friendly settlement agreements. Listed below are the matters that reached full compliance this year:

- Case 14.770, Report No. 211/23, Alicia María Jardel, Argentina
- Case 14.781, Report No. 212/23, Luis Carlos Abregu, Argentina
- Case 14.714, Report No. 215/23, Francisco Naishtat, Argentina
- Petition 799-06, Report No. 93/18, Isidoro León Ramírez Ciro, and others, Colombia
- Case 13.370, Report No. 80/20, Luis Horacio Patiño Agudelo, Colombia
- Case 13.642, Report No. 41/21, Edgar José Sánchez Duarte, Colombia
- Case 13.758, Report No. 337/21, Franklin Bustamante Restrepo and relatives, Colombia
- Case 13.775, Report No. 63/22, Gabriel Angel Gómez Martínez and family, Colombia
- Case 13.436, Report No. 67/22, José Oleaguer Correa Castrillón, Colombia
- Petition 735-07, Report No. 110/20, Ismael Mondragon, México
- Petition 494-04, Report 20/08, Romeo Edgardo Vargas Romero and others, Perú

110. The Commission considers that this progress is very important, and commends the states of Argentina, Colombia, Mexico and Peru for advancing in the full implementation of friendly settlement agreements and urges them to continue making use of the mechanism for resolving matters that are pending in the system of individual petitions and cases by having recourse to this non-contentious procedure.

### b. Progress toward implementing measures of friendly settlement agreements in 2024

111. The Commission is pleased to share the progress in the implementation of measures in **67** friendly settlement agreements. In addition, it was observed in the Commission's analysis that, in 2024, **11** petitions and cases reached total compliance, and **16** cases advanced towards partial compliance.

112. On the other hand, the Commission verified that progress was made in implementing **143** measures, attaining total compliance with respect to **85** measures of reparation; partial substantial compliance with respect to **25** measures of reparation; and partial compliance with respect to **33** measures of reparation. Of the **143** measures that saw progress in 2024, **55** are structural and **88** are individual in nature.

113. In this regard, the Commission noted that the countries that registered the highest levels of progress in the implementation of measures were, in the first place, Colombia, with 82 advanced measures in 2024, of which 43 achieved full compliance, 20 partial substantial compliance and 19 partial compliance. Likewise, Argentina made progress in complying with 40 measures (25 with full compliance, 2 with partial substantial compliance, and 13 with partial compliance). Additionally, Mexico advanced in 7 measures, 5 with total compliance, 1 at the partial substantial level of compliance and 1 at the partial level.

114. Other States that showed progress in the implementation of friendly settlement agreements were Chile, who managed to achieve total compliance with 3 measures and substantial partial compliance with 1 measure; Ecuador, who fully implemented 3 measures, and Brazil, who fully complied with 2 measures. The States of Guatemala, Honduras, Panama and Peru achieved total compliance with 1 measure each, respectively, and finally, Paraguay made progress with substantial partial compliance with 1 measure.

115. The following is a detail of the specific progress in each case by country in the levels of total, partial substantial, and partial compliance with the clauses of the friendly settlement agreements as of 2024:

**PROGRESS REPORT ON THE IMPLEMENTATION OF FRIENDLY SETTLEMENT AGREEMENTS  
2024**

No.	Matter	Impact	Clause or measure	Level of compliance achieved
<b>ARGENTINA</b>				
1.	Case 12.854, Report No. 36/17, Ricardo Javier Kaplun and family	Individual	<b>I. Measures of pecuniary reparation</b> 1. The parties agree to establish an ad hoc arbitration court that would calculate the amount of pecuniary reparations owed to the petitioners, in conformity with the rights whose violation has been recognized and in line with the international standards that are applicable. [...].	<b>Total 2024</b>
2.		Individual	<b>II.C.</b> The national state shall pay for the expenses and costs calculated for the judicial proceedings referring to the death of Ricardo Javier Kaplun where the petitioners filing with the IACHR were legitimately recognized as complainants and/or whistleblowers.	<b>Partial substantial 2024</b>
3.	Case 13.888, Report No. 85/23, Diego Pablo Paredes	Individual	<b>1.</b> The parties agree that pecuniary reparation will be granted in accordance with the framework provided by Law n° 24.043, considering for this purpose the entire length of time during which Mr. Diego Pablo Paredes remained in forced exile, according to opinion IF-2022-08499600-APNSSPYEIDH#MJ. That is, from December 4, 1978, to October 28, 1983.	<b>Total 2024</b>
4.		Individual	<b>3.</b> The State also undertakes to comply with the term established in Article 30 of the rules of Chapter V of Law n° 25.344, as set forth in Executive Decree No. 1116/2000.	<b>Total 2024</b>
5.		Individual	<b>4.</b> Once the petitioner submits to the National Administration of Social Security [ANSES in Spanish] a true copy of the alleged victim's national identity document and the correctly completed form (PS.6.298) requesting the benefit established in Law n° 26.913, as well as signs the affidavit attached as an annex, the Argentine State commits to issue the corresponding resolution within three (3) months.	<b>Partial substantial 2024</b>
6.	Case 14.770, Report No. 211/23, Alicia María Jardel	Individual	<b>1.</b> The parties agree that pecuniary reparation shall be granted in accordance with the scheme provided for by Law No. 24,043, considering for this purpose the entire period during which Mrs. Alicia María Jardel remained in forced exile, according to ruling IF-2022-61478535-APN-DNAJIMDDHH#MJ. That is, from November 22, 1978, to October 28, 1983.	<b>Total 2024</b>
7.		Individual	<b>3.</b> Once the petitioner submits to the National Administration of Social Security (ANSES) a legitimate copy of her national identity document and the form (PS.6.298) for requesting the benefit provided for in Law No. 26,913, correctly filled in, and signs the affidavit attached as an annex, the Argentine State undertakes to issue the corresponding resolution within three (3) months.	<b>Total 2024</b>
8.		Individual	<b>4.</b> The State undertakes to comply with the term of Article 30 of the regulation of Chapter V of Law No. 25,344, provided for in Executive Decree No. 1116/2000.	<b>Total 2024</b>
9.	Case 14.781, Report No. 212/23, Luis Carlos Abregú	Individual	<b>1.</b> The parties agree that pecuniary reparation will be granted in accordance with the scheme provided for by Law No. 24,043, considering for this purpose the entire period during which Mr. Luis Carlos Abregú remained in forced exile, according to ruling IF-2022-61478638-APN-DNAJIMDDHH#MJ. That is, from September 4, 1978 to October 28, 1983.	<b>Total 2024</b>
10.		Individual	<b>3.</b> The State undertakes to comply with the term of Article 30 of the regulation of Chapter V of Law No. 25,344, provided for in Decree No. 1116/2000 of the National Executive Branch.	<b>Total 2024</b>



11.	Case 14.714, Report No. 215/23, Francisco Samuel Naishtat	Individual	1. The parties agree that pecuniary reparation will be granted in accordance with the scheme provided for by Law No. 24,043, considering for this purpose the entire period during which Mr. Francisco Samuel Naishtat remained in forced exile, according to ruling IF-2022-60344908-APN-DNAJIMDDHH#MJ. That is, from June 14, 1976 and October 28, 1983.	<b>Total 2024</b>
12.		Individual	4. The State also undertakes to comply with the term of Article 30 of the regulation of Chapter V of Law No. 25,344, provided for in Executive Decree No. 1116/2000.	<b>Total 2024</b>
13.	Case 13.804, Report No. 216/23, Carlos Fernando Antonio Ballivian Jiménez	Individual	1. The parties agree that pecuniary reparation will be granted in accordance with the framework provided by Law No. 24.043, considering for this purpose the entire length of time during which Mr. Carlos Fernando Antonio Ballivian Giménez remained in forced exile, according to ruling IF-2022-60071476-APN-DNAJIMDDHH#MJ. That is, from July 19, 1979, to October 28, 1983.	<b>Partial 2024</b>
14.		Individual	3. The Argentine State undertakes that, within three (3) months as from the publication of the Decree of the National Executive Branch in the Official Gazette of the Argentine Republic approving this agreement, as it will issue a ministerial resolution granting the reparation benefit established by Law No. 24.043, without additional costs or expenses. The amount of the reparation will be calculated as of the date of the issuance of the aforementioned ministerial resolution.	<b>Total 2024</b>
15.		Individual	4. The State undertakes to comply with the term established by Article 30 of the rules of Chapter V of Law No. 25.344, as set forth in Executive Decree No. 1116/2000.	<b>Partial 2024</b>
16.	Case 14.778, Report No. 217/23, Graciela Edit Abecasis	Individual	1. The parties agree that pecuniary reparation will be granted in accordance with the framework established by Law No. 24.043, considering for this purpose the entire length of time during which Mrs. Graciela Edit Abecasis remained in forced exile, according to ruling IF-2022-59786009-APN-DNAJIMDDHH#MJ. That is, from February 19, 1976 to October 28, 1983.	<b>Total 2024</b>
17.		Individual	3. Once the petitioner submits to the National Administration of Social Security (ANSES) a valid copy of her national identity document and the form (PS.6.298), correctly completed, for requesting the benefit provided for in Law No. 26.913 and signs the affidavit attached as an annex, the Argentine State undertakes to issue the corresponding resolution within three (3) months.	<b>Partial 2024</b>
18.		Individual	4. The State undertakes to comply with the term established by Article 30 of the rules of Chapter V of Law No. 25.344, as set forth in Executive Decree No. 1116/2000.	<b>Total 2024</b>
19.	Petition 268- 10, Report No. 266/23, María del Cármen Senem de Buzzi	Structural	<b>II.1.1. Publication of the agreement</b> The State, through the Secretariat of Human Rights of the Nation, undertakes to disseminate this agreement within a maximum period of 6 months from the publication in the Official Gazette of the decree of the National Executive Power approving it, in a newspaper of national scope and in the following websites: [...]	<b>Total 2024</b>
20.		Structural	<b>b) Training proposal for magistrates, officials and assistants of the national, federal and provincial jurisdictions on mental health in general and involuntary hospitalization in particular.</b> The National State (through the National Secretariat for Human Rights) will propose to the Council of the Judiciary of the National Judicial Branch, the Federal Board of Courts and Superior Courts of Justice of the Argentine Provinces and of the Autonomous City of Buenos Aires (JUFEJUS), the Federal Forum of Councils of the Judiciary and Trial Juries of the Argentine Republic (FO. FE.C.MA), the National Public Defender's Office and the	<b>Total 2024</b>

			Attorney General's Office, training for magistrates, officials and assistants of the national, federal and provincial jurisdictions, and if necessary, will impart them. [...]	
21.	Case 14.769, Report No. 267/23, Claudia Laura Kleinman and Ana María Kleinman	Individual	1. The parties agree that pecuniary reparation will be granted in accordance with the scheme provided for by Law No. 24.043, considering for this purpose the entire period during which Mrs. Claudia Laura and Ana María Kleinman remained in forced exile, according to ruling IF-2022-59784416-APN-DNAJIMDDHH#MJ. That is, from May 31, 1977, and October 28, 1983.	<b>Partial 2024</b>
22.		Individual	2. The Argentine State undertakes that, within three (3) months from the publication in the Official Gazette of the Argentine Republic of the Decree of the National Executive Power approving this agreement, the ministerial resolutions granting the reparation benefit provided for in Law No. 24.043 shall be issued, without additional costs or expenses. The amount of the reparation shall be calculated as of the date of the issuance of such ministerial resolution.	<b>Partial 2024</b>
23.		Individual	3. Once the petitioner submits to the National Social Security Administration (ANSES) a true copy of the national identity documents and the form (PS.6.298) requesting the benefit provided for in Law No. 26.913 correctly completed, as well as signs the sworn statement that accompanies it as an annex, the Argentine State undertakes to issue the corresponding resolutions within a term of three (3) months.	<b>Partial 2024</b>
24.	Case 14.771, Report No. 268/23, Lilia Etcheverry	Individual	1. The parties agree that pecuniary reparation will be granted in accordance with the scheme provided for by Law No. 24.043, considering for this purpose the entire period during which Mrs. Lilia Etcheverry remained in forced exile, according to ruling IF-2022-82029599-APN-DNAJIMDDHH#MJ. That is, from June 19, 1978, to December 10, 1983.	<b>Partial 2024</b>
25.		Individual	2. The Argentine State undertakes that, within three (3) months from the publication in the Official Gazette of the Argentine Republic of the Decree of the National Executive Power approving this agreement, a ministerial resolution will be issued granting the reparation benefit provided for in Law No. 24.043, without additional costs or expenses. The amount of the reparation shall be calculated as of the date of the issuance of such ministerial resolution.	<b>Total 2024</b>
26.	Case 13.581, Report No. 269/23, José Luis D'Andrea Móhr	Structural	<b>III. Creation of a registry of decisions of the Inter-American Human Rights System against Argentina and their dissemination in the Judiciary</b> The State shall create a section within the web page of the National Secretariat of Human Rights, which shall contain a register of all friendly settlement agreements and compliance with recommendations signed by the Argentine Republic. The registry will provide the following information: the full text of the agreement, the homologation reports (if any), the national or provincial decrees approving each agreement (if any), the last technical follow-up sheet prepared by the IACHR in its annual reports, and a brief summary of the case. [...]	<b>Total 2024</b>
27.	Case 14.835, Report No. 27/24, Lilia Ana Villagra	Individual	2. The Argentine State undertakes to issue, within three (3) months from the date of publication in the Official Gazette of the Argentine Republic (Boletín Oficial de la República Argentina) of the Decree of the National Executive Branch approving this agreement, the ministerial resolution granting the monetary benefit established by Law No. 24.043, without additional cost or expenses. The amount of the compensation shall be estimated as of the date of the issuance of the aforementioned ministerial resolution.	<b>Total 2024</b>



28.	Case 14.836, Report No. 28/24, Lydia Cristina Vieyra	Individual	2. The Argentine State hereby undertakes to issue, within three (3) months from the date of publication in the Official Gazette of the Argentine Republic (Boletín Oficial de la República Argentina) of the Decree of the National Executive Branch approving this agreement, the ministerial resolution granting the monetary benefit established by Law No. 24.043, without additional costs or expenses. The amount of compensation shall be estimated as of the date of issue of the aforementioned ministerial resolution.	<b>Total 2024</b>
29.	Case 14.940, Report No. 29/24, Horacio Ricardo Neuman	Individual	2. The Argentine State hereby undertakes to issue, within three (3) months of the publication in the Official Gazette of the Argentine Republic of the Decree of the National Executive Branch approving this agreement, the ministerial resolution granting the monetary benefit established by Law No. 24.043, without additional costs or expenses. The amount of the reparation shall be calculated as of the date of issue of the aforementioned ministerial resolution.	<b>Total 2024</b>
30.	Case 14.739, Report No. 30/24, Mary Beatriz Guerra Peña,	Individual	2. The Argentine State undertakes to issue, within three (3) months from the date of publication in the Official Gazette of the Argentine Republic (Boletín Oficial de la República Argentina) of the Decree of the National Executive Branch approving this agreement, the ministerial resolution granting the monetary benefit established by Law N° 24.043, without additional cost or expenses. The amount of the compensation shall be estimated as of the date of the issuance of the aforementioned ministerial resolution.	<b>Total 2024</b>
31.	Case 13.696, Report No. 31/24, Octavio Romero and Gabriel Gersbach,	Structural	<b>II. Acknowledgment of international responsibility and public disclosure of the friendly settlement agreement:</b> [...] As a consequence of this acknowledgment of responsibility, the State undertakes to disseminate this agreement within a maximum period of 6 months from the publication in the Official Gazette of the decree approving it on the websites of the National Secretariat for Human Rights and the National Institute against Discrimination, Xenophobia and Racism. Within that same period, the text of the agreement will also be communicated to the National Chamber of Criminal and Correctional Appeals. The State shall also publish a gazette on this agreement - the content of which shall be agreed upon by the parties - in a newspaper with wide national circulation, within 3 months of the publication in the Official Gazette of the decree approving it. [...]	<b>Partial 2024</b>
32.		Individual	<b>III.1. Satisfaction measures:</b> The Argentine State, through the National Public Prosecutors' Office, undertakes to provide all the support that may be required by the prosecutor's office involved in the investigation of the facts related to the death of Octavio Romero. In particular, the team of the Specialized Prosecutor's Unit on Violence against Women (UFEM) and the General Directorate of Gender Policies of the Attorney General's Office (Procuración General de la Nación), which have specialized resources on diversity issues, will be made available to the aforementioned prosecutor's office to enable it to intervene in the case with a gender perspective and in a manner respectful of the rights of LGBTIQ+ persons.	<b>Partial 2024</b>
33.		Structural	<b>III.2. a) Renaming of Resolution N° 548/2011 of the Ministry of Security of the Nation:</b> The Ministry of Security of the Nation undertakes to rename Resolution N° 548/2011 in honor of Octavio Romero and all those members of the security forces who have been discriminated against because of their sexual orientation, within 12 months from the signing of this agreement.	<b>Total 2024</b>

			The parties agree that, with the presentation of a report confirming the renaming of the resolution, this clause shall be deemed to be fulfilled.	
34.		Structural	<p><b>III.2.b) Action undertaken to raise awareness and pay tribute.</b> Inclusion of the case in the National Plan against Discrimination: As part of the activities for the International Day for Combating Discrimination based on sexual orientation and gender identity, INADI will conduct an awareness-raising activity in honor and memory of Octavio Romero, through the agency's social networks. In turn, a brief reference to the case will be included in the "Justice" section of the National Plan against Discrimination.</p> <p>The parties agree that, with the submission of a report on the steps taken to raise awareness and pay tribute in social networks and a copy of the National Plan against Discrimination that includes the reference to the case, the clause shall be deemed fulfilled.</p>	Partial 2024
35.		Structural	<p><b>III.2. c) Production of a documentary on sexual diversity in the security forces:</b> The Argentine State, through its educational and cultural channel "Encuentro", will produce a special documentary on sexual diversity in the security forces, in memory of and as a tribute to Octavio Romero. The Encuentro channel will be in charge of production and financing and will begin within 3 months from the date of publication in the Official Gazette of the decree approving this agreement.</p> <p>The content of the documentary shall be agreed upon with the petitioning party.</p> <p>The documentary will be broadcast on the Encuentro channel, on its social networks, and will be available on the Cont.ar platform. In addition, it will be distributed in Argentine schools and will be available as teaching material.</p> <p>The parties agree that, upon submission of a copy of this material to the IACHR, this clause shall be deemed to be fulfilled.</p>	Total 2024
36.		Structural	<p><b>III.3. Guarantees of non-repetition.</b></p> <p><b>a) Creation of the Protocol governing steps to be taken in response to complaints of discrimination based on sexual orientation, gender identity, sexual expression, and/or characteristics:</b> Within 6 months from the signature of this agreement, the Ministry of Security of the Nation shall issue the "Protocol governing steps to be taken in response to complaints of discrimination based on sexual orientation and/or gender identity, its expression and sexual characteristics", which will supplement Resolution n° 37/2020 of that Ministry.</p> <p>The protocol will include rules for responding to and investigating complaints and will include the establishment of time limits for each stage of the procedure. It will also indicate how to follow up on the status of the files, the means of appealing decisions adopted, and the mechanisms to ensure that decisions are effectively implemented. [...]</p>	Total 2024
37.		Structural	<p><b>III.3. b) "Octavio Romero" Training and Awareness Days Program:</b> The Ministry of Security of the Nation will promote, through the Training and Career Undersecretariat -in coordination with the National Directorate of Gender Policies-, an annual awareness day for cadets or others who wish to join the federal security forces. Within this framework, talks will be held with specialists on discrimination and violence based on gender and sexual diversity. [...]</p>	Partial 2024
38.		Structural	<p><b>III.3. c) Dissemination of a booklet on sexual diversity within the security forces:</b> Within 12 months from the signing of this agreement, the Ministry of Security of the Nation undertakes to carry out a "Day of launching and dissemination of specific material</p>	Total 2024

			on rights, protection, prevention, and how to deal with situations of violence against LGBTIQ+ people", and to ensure that this material is disseminated among all personnel of the Police and Federal Security Forces. The activity will be held in honor of Octavio Romero, in the framework of the International Day against Discrimination based on sexual orientation and gender identity. The parties agree that this clause shall be deemed to have been fulfilled with the submission of a report to the IACHR on the holding of the workshop provided for in the preceding paragraph.	
39.		Structural	<b>III.3. d) Strengthening access to justice for LGBTIQ+ persons in situations of gender-based violence:</b> The Ministry of Women, Gender, and Diversity of the Nation will take concrete steps to guarantee access to justice for LGBTIQ+ people in situations of gender violence. In particular, it undertakes to strengthen the Corps of Lawyers for Victims of Gender Violence (CAAVVG), by increasing the number of professionals so that the Corps can be represented in a greater number of jurisdictions in the country, and to ensure that they will be trained on a regular basis. Likewise, with respect to the Acercar Derechos (PAD) Program, the MMGYD commits to progressively expanding the number of professionals involved. [...]	Partial 2024
40.		Structural	<b>III.3. e) General guidelines for the approach to the murder of transvestites, trans-persons, femicides, and homicides due to prejudice or discrimination based on sexual orientation, gender identity, sexual expression, or sexual characteristics:</b> The Ministry of Women, Genders, and Diversity is committed to working together with other institutional actors in the preparation of general guidelines for addressing the murder of transvestites, trans-persons, femicides, and homicides due to prejudice or discrimination based on sexual orientation, gender identity, sexual expression, or sexual characteristics. This clause shall be deemed to have been fulfilled with the effective preparation and dissemination of the above document, within a period of 18 months from the signing of this agreement. The process of drafting the aforementioned guidelines will be carried out in consultation with the petitioning party. [...]	Partial 2024
<b>Argentina:</b> Number of measures where progress was achieved: 40 (28 individual, 12 structural) Total compliance: 25 Partial substantial: 2 Partial compliance: 13				
No.	Matter	Impact	Clause or measure	Level of compliance achieved
<b>BRAZIL</b>				
41.	Case 12.674, Report No. 111/20, Marcio Lapoente Da Silveira	Structural	<b>14.</b> The State, through the Secretariat for Human Rights, undertakes to request the Council for the Defense of the Rights of the Human Person (CDDPH) to analyze 23 cases of alleged human rights violations that occurred in the field of the Armed Forces, according to the study prepared by the Tortura No Mais Group (GTNM / RJ). The case of Márcio Lapoente da Silveira is one of those cases and will be included in the request to the CDDPH. The petitioner will provide the aforementioned study to the Secretariat for Human Rights, which will send it to the CDDPH within a maximum period of 90 (ninety) days after receiving it. The petitioning party and the GTNM / RJ may provide the CDDPH with any other information they deem pertinent.	Total 2024

42.	Case 12.673, Report No. 114/23, José Dutra da Costa	Structural	21. The Brazilian government, through the National Agrarian Audit of the Ministry of Agrarian Development, will take steps to complete rural electrification in the Nova Vitória, José Dutra da Costa and Água Branca Settlement Projects, located in Rondon de Pará.	Total 2024
Brazil: Number of measures where progress was achieved: 2 (2 structural) Total compliance: 2 Partial substantial: N/A Partial compliance: N/A				
No.	Matter	Impact	Clause or measure	Level of compliance achieved
CHILE				
43.	Petition 4617/02, Report No. 30/04, Mercedes Julia Huenteao Beroiza et al.	Structural	2. b) Agree on mechanisms to solve the land problems that affect the indigenous communities in the Upper Bío Bío sector; 1. arrange the contracting of an external legal team whose task shall be to implement the measures necessary to settle the outstanding legal disputes involving Pehuenche lands. 2. procedures shall be retained for recovery of indigenous lands through the mechanisms provided for by the Indigenous Peoples Act.	Total 2024
44.		Structural	a) Agree on mechanisms to ensure that indigenous communities are reported, heard, and taken into consideration in follow-up and monitoring of the environmental obligations of the Ralco Hydroelectric Project; 1. Adopt measures so that the results of audits will also be divulged via different means. 2. Engage participation of a local resident representing the parties and the Mapuche Pehuenche community during the visits of the teams of independent auditors. 3. Include local residents and community members in consultation during the visits conducted by CONAMA, in order to canvass their opinions.	Total 2024
45.		Structural	3. d) Agree on binding mechanisms for all state organs to prevent the construction of future megaprojects, in particular hydroelectric projects, on indigenous lands in the Upper Bío Bío.	Partial substantial 2024
46.		Structural	5. Measures to satisfy the particular demands of the Mapuche Pehuenche families affected.	Total 2024
Chile: Number of measures where progress was achieved: 4 (4 structural) Total compliance: 3 Partial substantial: 1 Partial compliance: N/A				
No.	Matter	Impact	Clause or measure	Level of compliance achieved
COLOMBIA				
47.	Case 12.376, Report No. 59/14, Alba Lucía, Rodríguez,	Individual	5. In the event that Alba Lucia Rodríguez decides to pursue her education, the State agrees to assist her in accessing her preferred course of study through the Department of Education of Medellín and/or the Office of the Governor of Antioquia. Her admission and continuation in the educational program shall be subject to the requirements established by the chosen educational institution. The offer of education includes starting basic secondary or high school, or technical, technological, and/or arts and	Partial substantial 2024

			vocational skills training. The education offered may be based in the city of Medellín or in any other municipality. In any case, the conditions stipulated in this paragraph shall be subject to change according to the demonstrated needs of the individual.	
48.	Petition 577-06, Report No. 82/15, Gloria González and family,	Individual	<b>3.</b> The State will arrange for \$50,000,000 (FIFTY MILLION PESOS M C/TE) in aid for the minor child D, for the purpose of funding technical or technological studies and cover her child support. The amount of aid will increase to \$70,000,000 (SEVENTY MILLION PESOS MC/TE) if the beneficiary chooses to pursue a professional career. The beneficiary of the measure must follow the appropriate procedures in order to be admitted to the respective education facility and shall take the curriculum that the university or college offers to ensure adequate academic performance. [...]	<b>Partial substantial 2024</b>
49.	Case 12.541, Report No. 67/16, Omar Zuñiga Vásquez and Amira Isabel Vásquez de Zuñiga,	Individual	<b>SECOND: JUDICIAL MEASURES.</b> The Office of the Attorney General [Procuraduría General de la Nación] shall, within its sphere of competence, and once the report referred to in Article 49 of the American Convention has been published, bring an action for reconsideration of the resolution of May 28, 2014, issued by Prosecution Office 73 Delegated to the Superior Court of Bogotá. In addition, the National Agency for Legal Defense of the State commits to examining the feasibility of bringing an action for indemnity [acción de repetición] pursuant to the functions assigned to it under Article 6(3)(ix) of Decree Law 4085 of 2011.	<b>Total 2024</b>
50.	Case 12.941, Report No. 92/18, Nicolasa and family,	Individual	<b>b) Measures relating to Nicolasa's education.</b> Provide a \$50.000.000 (FIFTY MILLION COLOMBIAN PESOS) grant to Nicolasa to finance her studies at any of the technical, vocational, technological or university levels, in any academic program or institute of higher education authorized in Colombia, that she, the beneficiary, chooses. That grant shall be used to pay for her tuition fees and maintenance costs. [...]	<b>Total 2024</b>
51.		Structural	<b>3) a. Non-Repetition Measures.</b> The State commits to broadcasting on television, in spots provided to that end by the National Television Authority (ANTV), a 45-second video containing an institutional message regarding the duty to prevent, investigate, and punish cases of sexual violence. Responsibility for the execution of this measure shall lie with the Office of the Presidential Adviser on Human Rights.	<b>Partial substantial 2024</b>
52.	Petition 799-06, Report No. 93/18, Isidoro León Ramírez, Pompilio De Jesús Cardona Escobar, Luis Fernando Velazquez Londoño et al.,	Individual	<b>2.- MEASURES TO SEE JUSTICE DONE.</b> The State commits to continuing to honor its obligation to investigate, try, and punish those responsible for the crimes.	<b>Total 2024</b>
53.		Individual	<b>4.- Financial reparation.</b> The State commits to the following: that once the present friendly settlement agreement been formally approved with the issuance of the report referred to in Article 49 of the American Convention on Human Rights, Law 288 of 1996 shall be applied with a view to making reparation for non-material damages to Messrs. Edgar de Jesús Muñoz Orjuela and Goblis Anyelo Muñoz Orjuela, the foster children of Luis Fernando Velázquez Londoño, who were not compensated through Administrative Litigation Courts. The entities responsible for following the procedures established in Law 288 of 1996 shall be the National Police and the National Penitentiary and Prison Institute (INPEC), pursuant to Decree 507 of 2016.	<b>Total 2024</b>
54.	Case 11.990 A, Report No. 34/19, Oscar Orlando Bueno Bonnet and other,	Individual	<b>Third - 2 c)</b> Educational grant and maintenance allowance for Jefferson Villamizar: The State shall provide \$50,000.000 (fifty million pesos) for Jefferson Villamizar to finance his technical or technological education and cover his maintenance costs. The grant amount shall increase to \$70,000.000 (seventy million pesos) if the beneficiary chooses a vocational career program. The beneficiary of this measure must complete the procedures required for	<b>Total 2024</b>

			admission to the academic institution and pass each period's exams. [...]	
55.		Structural	<b>FOURTH: GUARANTEES OF NON-REPETITION.</b> Through the Technical Secretariat of the Inter-sectoral Commission for Preventing Recruitment, Use, and Sexual Violence against Children and Adolescents, the Office of the Presidential Advisor for Human Rights shall provide counseling on how best to ensure prevention and protection in the department of Arauca and the municipality of Saravena, with a view to boosting the capacity of local and national entities to counter imminent and individualized threats to the right of children and adolescents to be protected against any form of recruitment, use, sexual violence, and stigmatization. [...]	<b>Total 2024</b>
56.		Structural	<b>b)</b> Workshop to share the outcomes of the mapping exercises with children, adolescents, and institutions.	<b>Partial substantial 2024</b>
57.		Structural	<b>c)</b> Workshop with local institutions and authorities to construct the three phases of the recruitment prevention mechanism.	<b>Partial substantial 2024</b>
58.		Structural	<b>d)</b> Participatory workshop with children and adolescents to identify inputs and components to be built into the new public policy instrument.	<b>Partial substantial 2024</b>
59.		Structural	<b>e)</b> Training the Security Forces to adopt a differential approach when dealing with children.	<b>Partial substantial 2024</b>
60.	Case 13.776, Report No. 1/20, German Eduardo Giraldo and family,	Individual	<b>FOURTH: HEALTH MEASURES.</b> The Ministry of Health and Social Protection shall implement the health rehabilitation measures in the form of medical, psychological and psycho-social care through the General Social Security Health System and the Psycho-Social Care and Comprehensive Health Care for Victims Program (PAPSIVI), and through the General Social Security Health System shall provide appropriate, timely, and priority treatment (based on medical criteria) to the victims with whom this friendly settlement agreement is signed.	<b>Total 2024</b>
61.	Case 12.909, Report No. 22/20, Gerardo Bedoya Borrero,	Individual	<b>d)</b> The financial assistance shall cover the cost of registering for semesters required under the academic program and a half-yearly maintenance allowance of up to two (2) minimum monthly wages (SMMLV). The National Ministry of Education and the Instituto Colombiano de Crédito Educativo y Estudios Técnicos en el Exterior (ICETEX) [Colombian Institute of Educational Credit and Technical Studies Abroad] shall be responsible for implementation of this measure.	<b>Total 2024</b>
62.		Individual	<b>FOURTH: FINANCIAL COMPENSATION.</b> Once this friendly settlement agreement is approved through the adoption of the corresponding report under Article 49 of the American Convention of Human Rights, the State undertakes to enforce Law 288 of 1996 in order to provide reparation for such material and immaterial injuries as may be proven in favor of the victims' relatives that have not received compensation in the administrative jurisdiction.	<b>Total 2024</b>
63.	Case 13.370, Report No. 80/20, Luis Horacio Patiño and family,	Individual	<b>FOURTH: FINANCIAL COMPENSATION.</b> The State commits to applying Law 288 of 1996 once the present Friendly Settlement Agreement is approved by issuance of the report envisaged in Article 49 of the American Convention on Human Rights, its purpose being to provide reparation for such material and immaterial damages as may be proven in favor of the victims' relatives that have not received compensation in the administrative jurisdiction, or, if they have, discounting the amounts recognized for administrative reparation. To that end, recourse shall be had to the criteria and amounts recognized in current Council of State case law.	<b>Total 2024</b>



64.	Case 13.642, Report No. 41/21, Edgar José Sánchez Duarte and family,	Individual	<b>1.2 Medical and psychosocial care.</b> The Ministry of Health and Social Protection, in exercise of the powers described in Decree Law 4107 of 2011, will coordinate the health rehabilitation measures that constitute medical, psychological and psychosocial care through the General System of Social Security in Health and its members, which will guarantee adequate, opportune and prioritized treatment as long as necessary (according to medical criteria), in accordance with the legal provisions on the matter. Additionally, if necessary and under the criteria of voluntariness and prioritization, the Ministry of Health and Social Protection will guarantee the victims the implementation of the rehabilitation measure understood from the components of comprehensive health care and psychosocial care, within the framework of the Program Psychosocial Care and Comprehensive Health for victims - PAPSIVI. By virtue of the principle of territoriality, this measure of reparation will be implemented in the terms indicated before the beneficiaries who are in the national territory. For those who reside outside the country, its scope will only include psychosocial care. [...]	<b>Total 2024</b>
65.		Individual	<b>3) Economic reparations.</b> The Ministry of National Defense undertakes to compensate the moral damages that will be proven by the violations recognized in this agreement through the mechanism established by Law 288 of 1996. The mechanism in question will be activated once the present friendly settlement agreement is approved through the issuance of the report on article 49 of the ACHR, with the purpose of repairing the damages caused to the families of the victims duly legitimized, who prove the affectations generated on the occasion of the events related to this case. Those who have already been repaired by the contentious-administrative jurisdiction will not benefit from this measure. Read this agreement by the parties and being all aware of its scope and legal content, it was signed on July 14, 2020, in Bogotá D.C	<b>Total 2024</b>
66.	Case 13.758, Report 337/21, Franklin Bustamante Restrepo,	Individual	<b>6.</b> The State is obliged to initiate the compliance of Law 288 of 1996 "By means of which instruments are established for the compensation of detriment to the victims of human rights violations by virtue of the set forth by certain international human rights bodies", once the present Friendly Settlement Agreement is homologated by means of the issuance of the Report of Article 49 of the American Convention on Human Rights, with the purpose of repairing the detriment caused to the family of the victims as a consequence of the affectations generated by the facts of the present case. The National Agency of Juridical Defense of the State shall be the entity in charge of assuming the compliance of Law 288 of 1996. For purposes of compensation, the criteria and amounts recognized by the current jurisprudence of the State Council is to be resorted.	<b>Total 2024</b>
67.	Petition 535-17, Report No. 59/22, Luis Gerardo Bermudez,	Individual	<b>Seventh part: Compensation measures.</b> The State undertakes to initiate the process of Law 288 of 1996 "Whereby instruments are established for the compensation of damages to victims of human rights violations in accordance with the provisions of certain international human rights bodies", once this friendly settlement agreement is approved through the issuance of the Report of Article 49 of the American Convention on Human Rights, in order to repair the damages caused to the relatives of the victims resulted from the effects generated by the facts of this case. The National Agency for the Legal Defense of the State will be the entity in charge of processing Law 288 of 1996. For the purposes of compensation, the	<b>Total 2024</b>

			criteria and amounts to be used are those recognized by the current jurisprudence of the State Council.	
68.	Case 13.775, Report No. 63/22, Gabriel Angel Gómez Martínez and family,	Individual	<b>Sixth Part: Compensation Measures.</b> The State undertakes to initiate the process of Law 288 of 1996 "Whereby instruments are established for the compensation of damages to victims of human rights violations by virtue of the provisions of certain international human rights bodies", once this friendly settlement agreement is approved through the issuance of the Report of Article 49 of the American Convention on Human Rights, in order to repair the damages caused to the relatives of the victims as a result of the effects generated by the facts of this case. The National Agency for the Legal Defense of the State will be the entity in charge of the processing of Law 288 of 1996. For the purposes of compensation, the criteria and amounts to be used are those recognized by the current jurisprudence of the State Council.	<b>Total 2024</b>
69.	Case 13.436, Report No. 67/22, José Oleaguer Correa Castrillón,	Individual	<b>4.1.3. Financial aid.</b> The Colombian State, through the Ministry of National Education and the Colombian Institute of Educational Credit and Technical Studies Abroad (ICETEX), will grant financial aid to Manuela Casas Correa, in order to finance the Civil Engineering program at the University of Medellin in the on-site mode. The financial aid will cover the tuition fees from the fifth (5th) to the tenth (10th) academic semester of the university level program, for a semester value of up to eleven (11) SMMLV and a semester support resource of two (2) SMMLV. The beneficiary must ensure her permanence in the Higher Education Institution, maintaining adequate academic performance, being the sole responsibility of the beneficiary of the measure to maintain the status of student in the HEI. Thus, should she lose the quality of student for poor academic performance or disciplinary offense, the measure will be considered fulfilled by the State. The financial aid must begin to be used within a term not to exceed five (5) years from the signature of this agreement, otherwise the State's efforts to obtain it shall be deemed to have been fulfilled.	<b>Total 2024</b>
70.		Individual	<b>4.2. Justice measures.</b> The State undertakes to continue to comply with its obligation to investigate, prosecute and punish those responsible for the forced disappearance of Mr. José Oleaguer Correa. This measure is the responsibility of the Office of the Attorney General of the Nation.	<b>Total 2024</b>
71.		Individual	<b>4.3. Pecuniary Reparation.</b> The State undertakes to apply Law 288 of 1996, once this Friendly Settlement Agreement is homologated through the issuance of the Report of Article 49 of the American Convention on Human Rights. The foregoing, with the purpose of repairing the immaterial and material damages which may be proven in favor of the victim's relatives who have not been compensated through the Contentious-Administrative Jurisdiction, discounting, if applicable, the amounts recognized for administrative reparations. For these purposes, the criteria and amounts to be used are those recognized by the current Jurisprudence of the Council of State.	<b>Total 2024</b>
72.	Petition 1617-12, Report No. 169/22, Domingo José Rivas Coronado,	Individual	<b>SIXTH PART: HEALTH AND REHABILITATION MEASURES.</b> The Ministry of Health and Social Protection, in exercise of the powers described in Law Decree 4107 of 2011, shall coordinate health rehabilitation measures consisting of medical, psychological and psychiatric care through the General System of Social Security in Health and its members, which guarantees adequate, timely and priority treatment and for as long as necessary (according to medical criteria), in accordance with the legal provisions on the matter. Additionally, if necessary and under the criteria of	<b>Total 2024</b>

			willingness and prioritization, the Ministry of Health and Social Protection will guarantee the victims the implementation of the rehabilitation measure through psychosocial care, through the components of comprehensive health and psychosocial care, within the Psychosocial and Comprehensive Health Care Program for Victims - PAPSIVI. By virtue of the principle of territoriality, this reparation measure will be implemented in the terms indicated for the beneficiaries who are in the national territory. For those persons residing outside the country, its scope will only include psychosocial care. Access to psychosocial care for persons who are outside the national territory will be guaranteed through the virtual tools which may be available to them, subject to their expressing their will and in accordance with the guidelines issued by the Ministry of Health and Social Protection on the matter. These measures will be implemented as from the signing of the friendly settlement agreement.	
73.		Individual	<b>EIGHTH PART: COMPENSATION MEASURES.</b> The State undertakes to initiate the processing of Law 288 of 1996 "Whereby instruments are established for the compensation of damages to the victims of human rights violations pursuant to the provisions of certain international human rights bodies," once the present friendly settlement agreement is homologated through the issuance of the Report of Article 49 of the American Convention on Human Rights, with the purpose of repairing the damages caused to the relatives of the victims as a consequence of the affectations generated by the facts of the present case. The National Agency for the Legal Defense of the State will be the entity in charge of the processing of Law 288 of 1996.	<b>Total 2024</b>
74.		Structural	<b>i. Publication of the Article 49 Report.</b> Once it is approved by the Inter-American Commission, the Colombian State will publish the pertinent sections of the friendly settlement report on the websites of the National Legal Defense Agency of the State and the Ministry of National Defense for a period of one year.	<b>Total 2024</b>
75.	Case 13.226, Report No. 286/22, Dora Inés Meneses Gómez et al.,	Individual	<b>Sixth Part: Health and Rehabilitation Measures.</b> The Ministry of Health and Social Protection will implement health rehabilitation measures consisting of medical, psychological, and psychosocial care via the General System of Social Security in Health (SGSSS) and the Psychosocial Care and Comprehensive Health Program for Victims (PAPSIVI). Adequate, timely and priority treatment will be guaranteed to people needing it and for as long as necessary once they consent to receive it. When providing the psychological treatment and psycho-social support, the specific circumstances and needs of each person must be taken into consideration so that they are offered collective, family, and individual care, as agreed with each of them and following an individual assessment. For access to comprehensive healthcare, access in timely and quality conditions to the required medications and treatments (which include physical and mental health) is guaranteed to the beneficiaries of the measures following the provisions that govern the SGSSS. At the same time, the beneficiaries must be provided with priority and differentiated care in view of their status as victims. These measures are to be implemented starting from the signing of the friendly settlement agreement.	<b>Partial substantial 2024</b>
76.	Case 13.710, Report No. 109/23,	Structural	<b>ii. Publication of the Article 49 Report.</b> The Colombian State shall publish the pertinent sections of the friendly settlement report, once it has been approved by the Inter-American Commission, on the websites of the National Agency for the Legal Defense of the State, for a period of six (6) months.	<b>Total 2024</b>

77.	Julián Alberto Toro Ortiz and family,	Individual	<b>iii. Educational Financial Aid.</b> The Colombian State, through the Ministry of National Education and the Colombian Institute of Educational Credit and Technical Studies Abroad, ICETEX, will provide five (5) educational grants to five family members of the victims included as beneficiaries of this Friendly Settlement Agreement. <sup>18</sup> To enact the measure in Colombia, each grant will cover the cost of the tuition fees for the semesters of an academic program at a professional, technical, technological, university, or graduate-level technical program in a Higher Education Institution in Colombia recognized by the Ministry of National Education, in an on-site or virtual format, up to an amount equivalent to eleven (11) legal minimum wages per semester and a support grant in the amount of two (2) legal minimum wages per semester if the Higher Education Institution is located in the municipality of residence of the beneficiary or four (4) legal minimum wages if the Higher Education Institution is outside the municipality in which the beneficiary resides. [...]	<b>Partial 2024</b>
78.		Individual	<b>iv. Working Groups with the Ministry of Housing, City, and Territory.</b> The Colombian State, through the Ministry of Housing, City, and Territory, will hold three (3) round tables with the beneficiaries of the Friendly Settlement Agreement, if so desired, with the purpose of explaining the institutional offer established by the Colombian state in terms of access to housing programs, including the requirements and ways to apply for these benefits. [...]	<b>Partial 2024</b>
79.		Individual	<b>PART SEVEN: COMPENSATION MEASURES.</b> The State undertakes to initiate the process of Law 288 of 1996 "Whereby instruments are established for the compensation of damages to victims of human rights violations in accordance with the provisions of certain international human rights bodies," once the present friendly settlement agreement is approved through the issuance of the Article 49 Report of the American Convention on Human Rights, with the purpose of repairing the damages caused to the victims' relatives as a result of this case. The National Agency for the Legal Defense of the State will be the entity in charge of the processing of Law 288 of 1996. For the purposes of compensation, the criteria and amounts recognized by the current jurisprudence of the Council of State shall apply.	<b>Partial substantial 2024</b>
80.		Structural	<b>ii. Publication of the Article 49 Report.</b> The Colombian State will publish the pertinent sections of the friendly settlement report, once it has been approved by the Inter-American Commission, on the web page of the National Agency for the Legal Defense of the State, for a period of six (6) months.	<b>Total 2024</b>
81.	Case 14.577, Report No. 110/23, Teobaldo Enrique Martínez Fuentes and family,	Individual	<b>PART SIX: HEALTH AND REHABILITATION MEASURES</b> The Ministry of Health and Social Protection, in exercise of the powers described in Decree Law 4107 of 2011, shall coordinate health rehabilitation measures, consisting of medical, psychological, and psychosocial care, through the General Social Security Health System and its constituent bodies, as well as through the Psychosocial Care and Comprehensive Health Program for Victims (PAPSIVI), in order to ensure adequate, timely, and priority treatment for as long as necessary (in accordance with medical criteria), in keeping with the applicable legal provisions. In providing psychological treatment and psychosocial care, the particular circumstances and needs of each person must be considered, so that they are provided with family and individual treatment according to the agreements reached with each of them and after individual assessments based on respect for autonomy and voluntary access. To ensure their access to comprehensive health care, the beneficiaries of the measures shall be guaranteed	<b>Total 2024</b>

			timely and quality access to the medicines and treatments required (including physical and mental health) in keeping with the rules governing the SGSSS, and they shall have priority and differential attention by virtue of their status as victims.	
82.		Individual	<b>PART SEVEN: COMPENSATION MEASURES</b> The State undertakes to initiate the procedure under Law 288 of 1996 "Whereby instruments are established for the compensation of damages to the victims of human rights violations by virtue of the provisions of certain international human rights bodies". The procedure will be initiated once the present friendly settlement agreement is homologated through the issuance of the Article 49 Report of the American Convention, with the purpose of repairing the damages caused to the relatives of the victims as a consequence of the effects generated by the facts of the present case. The National Agency for the Legal Defense of the State shall be the entity in charge of assuming the procedure provided by Law 288 of 1996. For the purposes of redressing and verifying the harm caused, the criteria and amounts recognized by the current jurisprudence of the Council of State shall be used.	<b>Partial 2024</b>
83.	Case 13.840, Report No. 111/23, Edwin Hernán Ciro and family,	Individual	<b>PART SIX: COMPENSATION MEASURES.</b> The State undertakes to initiate the processing of Law 288 of 1996 "establishing instruments for the compensation of damages to victims of human rights violations as provided by certain international human rights bodies." The process will begin once this friendly settlement agreement is approved through the adoption of a report under Article 49 of the American Convention in order to provide reparation for the injuries to victims' relatives resulting from the violations caused by the deeds committed in this case. The National Agency for the Legal Defense of the State will be the entity in charge of the processing of Law 288 of 1996. For the purposes of compensation for damages and its verification, the criteria and amounts recognized by the current jurisprudence of the Council of State will be used.	<b>Partial 2024</b>
84.		Individual	<b>ii. Workshops with the Ministry of Housing, City, and Territory.</b> Through the Ministry of Housing, City, and Territory, the Colombian State shall promote three (3) workshops with the beneficiaries of the friendly settlement agreement, should they want them, for the purpose of presenting the institutional offer established by the Colombian State for access to housing programs, including the requirements and how to access this offer. [...]	<b>Partial 2024</b>
85.	Case 14.070, Report No. 112/23, José Omar Torres Barbosa,	Individual	<b>PART SIX: HEALTH AND REHABILITATION MEASURES.</b> The Ministry of Health and Social Protection shall implement the health rehabilitation measures that consist of medical, psychological, and psychosocial care through the General Social Security System in Health (SGSSS) of the Program for Psychosocial and Comprehensive Health Care for the Victims (PAPSIVI). Appropriate, timely, and priority treatment shall be guaranteed for those who need it and have previously indicated they want it, which treatment shall be provided for as long as it is needed. When psychological treatment and psychosocial care are provided, consideration should be given to each person's specific circumstances and needs, so that they are provided with family and individual treatments according to what is agreed with each of them following an individual evaluation. To ensure access to comprehensive health care, the beneficiaries of measures are guaranteed access to required medications and treatments (including physical and mental health), in accordance with the provisions governing the SGSSS, and shall also have differential care based on their victim status. To that end, a comprehensive health management channel shall be guaranteed through the different territorial operators of	<b>Partial substantial 2024</b>



			the PAPSIVI, for victims' referrals in the territorial entities and Benefit Plan Administrator Entities and the Ministry of Health and Social Protection, as applicable. This measure of reparation shall be implemented according to the indicated terms with regard to persons within national territory, as from the signing of this agreement	
86.		Individual	<b>PART SEVEN: JUSTICE MEASURES.</b> Within the framework of its powers, the Office of the Attorney General shall continue to promote with due diligence judicial proceedings enabling efforts to promote the investigation and individual determination of those responsible for the events. To develop the above, the Office of the Attorney General and the petitioners shall hold a meeting every six months to disclose progress made in the area of justice. The semi-annual meeting to be held shall be convened directly by the Office of the Attorney General.	<b>Partial 2024</b>
87.		Individual	<b>PART EIGHT: COMPENSATION MEASURES.</b> The State agrees to initiate the procedure established by Law 288 of 1996 "Whereby instruments are established to compensate for harm done to the victims of human rights violations by virtue of the provisions of specific international human rights organizations." Said procedure shall begin once this friendly settlement agreement is approved through issuance of the Article 49 report under the American Convention on Human Rights, for the purpose of repairing the damages caused to the family members of Mr. José Omar Torres as the result of impacts produced by the events in this case. The National Agency for Legal Defense of the State shall be the entity responsible for undertaking the procedure established by Law 288 of 1996. For purposes of compensation of damages caused and their verification, the criteria and amounts recognized by the current jurisprudence of the Council of State will be applied.	<b>Partial 2024</b>
88.		Structural	<b>II. Publication of the Article 49 Report.</b> The Colombian State will publish the pertinent sections of the friendly settlement report, once it has been approved by the Inter-American Commission, on the web page of the National Agency for the Legal Defense of the State, for a period of six (6) months.	<b>Total 2024</b>
89.	Petition 1478-12, Report No. 113/23, José Manuel Bello Nieves,	Individual	<b>III. Financial aid.</b> Through the Ministry of National Education and the Colombian Institute of Educational Credit and Technical Studies Abroad (ICETEX), the Colombian State will grant financial aid to Iván David Bello Sierra, with the aim of financing a professional, technological, or university program in an institute of higher education in Colombia recognized by the Ministry of National Higher Education, in person, through distance learning, or virtually. It will also grant financial aid to José Manuel Bello Sierra, with the aim of financing a graduate program in an institute of higher education in Colombia recognized by the Ministry of National Higher Education, in person, through distance learning, or virtually. The economic aid will cover the tuition fees of a professional, technical, university, or graduate program with a cost per semester equivalent to up to 11 monthly minimum wages, along with per-semester stipend of 2 monthly minimum wages should the institute of higher learning be located in the municipality where the beneficiary resides, or 4 monthly minimum wages should the institute of higher learning be located outside the beneficiaries' municipality of residence. [...]	<b>Partial substantial 2024</b>
90.		Individual	<b>PART SIX: COMPENSATION MEASURES.</b> The State agrees to initiate the procedure established by Law 288 of 1996 "Whereby instruments are established to compensate for harm done to the victims of human rights violations by virtue of the provisions of specific international human rights organizations." Said procedure shall begin once this friendly settlement agreement is approved	<b>Partial substantial 2024</b>



			through issuance of the Article 49 report under the American Convention on Human Rights, for the purpose of repairing the damages caused to the family members of Mr. José Omar Torres as the result of impacts produced by the events in this case. The National Agency for Legal Defense of the State shall be the entity responsible for undertaking the procedure established by Law 288 of 1996. For purposes of compensation of damages caused and their verification, the criteria and amounts recognized by the current jurisprudence of the Council of State will be applied.	
91.		Structural	<b>ii. Publication of the Article 49 Report.</b> The Colombian State undertakes to publish the report of Article 49 of the American Convention on Human Rights issued by the Inter-American Commission on Human Rights, which homologates the friendly settlement agreement, on the website of INPEC and the National Legal Defense Agency, for a period of six months.	<b>Total 2024</b>
92.	Case 13.232, Report No. 115/23, Omar Ernesto Vázquez Agudelo,	Individual	<b>SEVENTH PART: COMPENSATION MEASURES.</b> The State undertakes to initiate the procedure of the Law 288 of 1996 "Whereby instruments are established for the compensation of damages to victims of human rights violations by virtue of the provisions of certain international human rights bodies", once this friendly settlement agreement is homologated through the issuance of the Report of Article 49 of the American Convention on Human Rights, with the purpose of repairing the damages caused to the victim's family as a consequence of the effects generated by the facts of the present case. The National Agency for the Legal Defense of the State shall be the entity in charge of assuming the processing of Law 288 of 1996. For the purposes of indemnification, the criteria and amounts recognized by the current jurisprudence of the Council of State are to be implemented.	<b>Partial 2024</b>
93.		Structural	<b>ii. Trainings.</b> The National Police will provide ample and sufficient training to the men and women of the institution through the inclusion of the friendly settlement agreement in the Human Rights and International Humanitarian Law courses developed by the Police Education Directorate, in order to prevent events such as those narrated from recurring.	<b>Partial substantial 2024</b>
94.	Case 14.719, Report No. 116/23, Geovanni Aguirre Soto,	Individual	<b>SIXTH PART: COMPENSATION MEASURES.</b> The State undertakes that, once the present friendly settlement agreement is approved, through the issuance of the report Article 49 of the ACHR, Law 288 of 1996 will be applied, with the purpose of repairing the non-material damages of the victims recognized in the "Case 14.719 Geovanni Aguirre Soto". The entity in charge of moving forward with the implementation of the procedure of Law 288 of 1996 will be the National Police in accordance with the provisions of Decree 507 of 2016"	<b>Partial substantial 2024</b>
95.		Structural	<b>EIGHTH: PUBLICATION.</b> The State shall publish the relevant sections of the friendly settlement report once it has been approved by the Commission for a period of one year on the websites of the National Police and the Office of the Presidential Advisor for Human Rights and International Affairs.	<b>Partial 2024</b>
96.	Case 12.908, Report No. 208/23, Jorge Freytter Romero,	Individual	<b>NINTH: MONETARY COMPENSATION.</b> The State undertakes to initiate the processing of Law 288 of 1996 "Whereby instruments are established for the compensation of damages to the victims of human rights violations in accordance with the provisions of certain international human rights bodies", once the present friendly settlement agreement is approved through the issuance of the Report of Article 49 of the American Convention, with the purpose of repairing the damages caused to the relatives of the victims as a consequence of the harm generated by the facts of the	<b>Partial 2024</b>

			present case. The National Police will be the entity in charge of the processing of Law 288 of 1996. The grandchildren will be recognized as beneficiaries of this procedure as long as the representatives of the victims prove the damage caused in accordance with the jurisprudence of the Council of State.	
97.		Structural	<p><b>TENTH: MEASURES OF REMEMBRANCE AND RESTORATION OF DIGNITY.</b></p> <p>1. Pedagogical initiative of historical memory called “Jorge Freytter Competition”: Which will seek to make visible and recognize in the district educational institutions of the city of Barranquilla, the harm to the university and student movements (teachers, students and workers), derived from the Colombian internal armed conflict.</p> <p>The specific objectives of this measure will be:</p> <ul style="list-style-type: none"> <li>Promote the construction of Historical Memory processes in eight (8) district educational institutions, through pedagogical actions that provide methodological and conceptual perspectives necessary to develop remembrance initiatives in educational institutions.</li> <li>Promote youth participation through pedagogical training and empowerment of this population.</li> <li>Transform imaginaries and social practices of violence, through art spaces that contribute to the dignity of the victims, with special emphasis on the case of Mr. Jorge Adolfo Freytter Romero.</li> </ul> <p>This competition will be carried out in three (3) phases, which will be led by the National Center of Historical Memory. The winning educational initiative will be chosen by the relatives of Mr. Jorge Adolfo Freytter and the prize to be awarded will consist in the delivery of an endowment worth \$3,000,000 million COP to the winning district institution.</p>	<b>Partial 2024</b>
98.	Case 13.780, Report No. 209/23, Hugo Ferney León Londoño,	Structural	<p><b>II. Publication of the Article 49 Report.</b> The Colombian State shall publish the pertinent sections of the friendly settlement report, once it has been approved by the Inter-American Commission, on the website of the National Agency for the Legal Defense of the State, for a period of six (6) months.</p>	<b>Total 2024</b>
99.		Individual	<p><b>SEVENTH PART: COMPENSATION MEASURES.</b> The State undertakes to initiate the process of Law 288 of 1996 "Whereby instruments are established for the compensation of damages to victims of human rights violations in accordance with the provisions of certain international human rights bodies", once this friendly settlement agreement is approved through the issuance of the Report of Article 49 of the American Convention, in order to repair the damages caused to the family members of the victims as a result of the effects generated by the facts of this case. [...]</p>	<b>Partial substantial 2024</b>
100.	Case 14.145, Report No. 210/23, Eleazar Vargas Ardila and family,	Structural	<p><b>FIFTH PART: SATISFACTION MEASURES.</b></p> <p>II. Publication of the Article 49 Report: The Colombian State shall publish on the website of the National Agency for the Legal Defense of the State, for a period of six (6) months, the relevant sections of the friendly settlement report once approved by the Inter-American Commission.</p>	<b>Total 2024</b>
101.		Individual	<p><b>SEVENTH PART: COMPENSATION MEASURES.</b> The State commits to initiate the process of Law 288 of 1996 "Whereby instruments are established for the compensation of damages to victims of human rights violations pursuant to the provisions of certain international human rights bodies". The process will begin once the present friendly settlement agreement has been approved by means of the issuance of the Report of Article 49 of the American Convention, with the purpose of repairing the damages caused to</p>	<b>Partial 2024</b>

			the victim as a result of the damages generated by the facts of the present case. The National Agency for the Legal Defense of the State will be the entity in charge of the procedure of Law 288 of 1996. For the purposes of the compensation of damages and their verification, the criteria and amounts recognized by the current jurisprudence of the Council of State will be applied.	
102.		Individual	<b>NINTH PART: HEALTH MEASURE.</b> The Ministry of Health and Social Protection will implement health rehabilitation measures constituting medical, psychological and psychosocial care through the General Social Security Health System (SGSSS) and the Psychosocial and Integral Health Care Program for Victims (PAPSIVI). Adequate, timely and priority treatment will be guaranteed to those persons who require it, after expressing their will, and for the time necessary. When providing psychological treatment and psychosocial care, the particular circumstances and needs of each person must be considered, so that they are provided with family and individual treatment, according to what is agreed with each of them and after an individual evaluation.	<b>Partial 2024</b>
103.		Structural	<b>1.3 Publication of the facts.</b> The Colombian State undertakes to publish the report of Article 49 of the American Convention on Human Rights issued by the Inter-American Commission on Human Rights approving the friendly settlement agreement, on the website of the National Agency for the Legal Defense of the State for a period of one year, thus guaranteeing access to the friendly settlement report.	<b>Total 2024</b>
104.	Case 12.490, Report No. 218/23, Asmeth Yamith Salazar,	Individual	<b>3) Pecuniary Reparation:</b> The State undertakes to apply Law 288 of 1996, once this friendly settlement agreement is approved through the issuance of the Report of Article 49 of the American Convention on Human Rights. The foregoing, with the purpose of repairing the immaterial and material damages that may be proven in favor of Mr. Asmeth Salazar Palencia, who has not been compensated through the Contentious Administrative Jurisdiction, discounting, if applicable, the amounts recognized for administrative reparations. For these purposes, the criteria and amounts recognized by the current jurisprudence of the State Council will be used.	<b>Partial 2024</b>
105.		Structural	<b>II. Publication of the Article 49 Report.</b> The Colombian State shall publish the pertinent sections of the friendly settlement report, once it has been approved by the Inter-American Commission, on the website of the National Agency for the Legal Defense of the State, for a period of six (6) months.	<b>Total 2024</b>
106.	Case 14.003, Report No. 221/23, Maria Regina Ocampo,	Individual	<b>SIXTH: JUSTICE MEASURES</b> The Office of the Attorney General of the Nation, within the scope of its powers, shall continue to carry out with due diligence the judicial actions that will allow the investigation to move forward and the possible identification and individualization of those responsible for the facts. In development of the foregoing, the Office of the Attorney General of the Nation and the petitioners will hold a meeting every six months to report on the progress made in the matter of justice. The biannual meeting to be held will be convened directly by the Attorney General's Office	<b>Partial 2024</b>
107.		Individual	<b>SEVENTH: COMPENSATION MEASURES</b> The State undertakes to initiate the process of Law 288 of 1996 "Whereby instruments are established for the compensation of damages to the victims of human rights violations by virtue of the provisions of certain international human rights bodies". This will be initiated once the present friendly settlement agreement is	<b>Partial 2024</b>

			homologated through the issuance of the Report of Article 49 of the American Convention, with the purpose of repairing the damages caused to the relatives of the victims as a consequence of the affectations generated by the facts of the present case. The National Agency for the Legal Defense of the State will be the entity in charge of the proceedings under Law 288 of 1996. The criteria and amounts recognized by the current jurisprudence of the Council of State shall be used for the purposes of the compensation of damages and their verification.	
108.	Case 13.971, Report No. 271/23, Merardo Iván Vahos Arcila and family,	Structural	<b>II. Publication of the Art. 49 report</b> The Colombian State shall publish the pertinent clauses of the friendly settlement report, once it has been approved by the Inter-American Commission, on the web page of the National Agency for the Legal Defense of the State, for a period of six (6) months.	<b>Total 2024</b>
109.		Individual	<b>SEVENTH PART: COMPENSATION MEASURES</b> The State undertakes to initiate the process of Law 288 of 1996 "Whereby instruments are established for the compensation of damages to victims of human rights violations pursuant to the provisions of certain international human rights bodies". This shall be initiated once the present friendly settlement agreement is homologated through the issuance of the Report of Article 49 of the American Convention, with the purpose of repairing the damages caused to the beneficiaries included in the third clause of the present agreement as a consequence of the affectations generated by the facts of the present case. The National Agency for the Legal Defense of the State shall be the entity in charge of the proceedings under Law 288 of 1996. For the purposes of the indemnification of damages and their verification, the criteria and amounts recognized by the current jurisprudence of the Council of State shall be used.	<b>Partial 2024</b>
110.	Case 14.808, Report No. 272/23, Diego Felipe Becerra Lizarazo and family,	Structural	<b>III. Creation of a lecture</b> As a guarantee of non-repetition, the Colombian State will carry out a training course on human rights, youth and urban art. In addition, the case of Diego Felipe Becerra Lizarazo will be included in the curricula of training programs at all levels of the National Police, in the case study: lessons learned.	<b>Total 2024</b>
111.		Structural	<b>IV. Creation of an award</b> The Colombian State will create a human rights diploma with the name of Diego Felipe Becerra Lizarazo, as a symbol of remembrance, which will be awarded in recognition of National Police personnel, in active service, who stand out for guaranteeing, stimulating and exalting the strengthening of the social fabric, urban artists, as well as urban experiences that promote the artistic and responsible practice of graffiti framed in the promotion, respect, guarantee and protection of human rights in all units of the National Police. [...]	<b>Partial substantial 2024</b>
112.		Individual	<b>VI. Psychosocial care</b> The Ministry of Health and Social Protection will implement health rehabilitation measures constituting medical, psychological and psychosocial care through the General Social Security Health System (GSSHS) and the Psychosocial Care and Comprehensive Health Program for Victims (PCCHPV). Adequate, timely and priority treatment will be guaranteed to those persons who require it, after expressing their will, and for as long as necessary. In providing psychological treatment and psychosocial care, the particular circumstances and needs of each person must be considered, so that they are provided with family and individual treatment, according to what is agreed with each of them and after an individual assessment.	<b>Partial substantial 2024</b>

113.		Structural	<p><b>VII. Publication of the Article 49 report</b></p> <p>The Colombian State shall publish the pertinent sections of the friendly settlement report, once it has been approved by the Inter-American Commission, on the web page of the National Agency for the Legal Defense of the State, for a period of six (6) months.</p>	<b>Total 2024</b>
114.		Individual	<p><b>SIXTH PART: COMPENSATION MEASURES</b></p> <p>The State undertakes to initiate the process of Law 288 of 1996 "Whereby instruments are established for the compensation of damages to victims of human rights violations pursuant to the provisions of certain international human rights bodies". This shall be initiated once the present friendly settlement agreement is homologated through the issuance of the Report of Article 49 of the American Convention, with the purpose of fully repairing the damages caused to the beneficiaries included in the third clause of the present agreement as a consequence of the affectations generated by the facts of the present case, in the terms previously defined, according to the memorandum of understanding subscribed on December 13, 2022.</p> <p>The Ministry of National Defense shall be the entity in charge of assuming the procedure of Law 288 of 1996.</p> <p>For the purposes of the compensation of damages and its verification, the criteria and amounts recognized by the current jurisprudence of the Council of State shall be used.</p>	<b>Partial 2024</b>
115.	Case 14.906, Report No. 273/23, Eladia Méndez Bautista,	Individual	<p><b>II. Survivor's pension:</b></p> <p>Pursuant to the provisions of Article 47 of Law 100 of 1993, the Colombian Pension Administrator - Colpensiones shall recognize for life in favor of Mrs. Eladia Méndez Bautista, identified with citizenship card No. [...], a survivor's pension at a percentage of 100% in her capacity as the spouse of Mr. Luis Alberto León.</p> <p>Likewise, Mrs. Eladia Méndez Bautista shall be granted a retroactive pension that shall be calculated as of April 3, 2015 and shall be paid until the date on which the Inter-American Commission issues the Friendly Settlement Report homologating the Friendly Settlement Agreement signed between the Colombian State and the representative of the victims.</p> <p>Thus, once the National Agency for the Legal Defense of the State informs the Colombian Pension Administrator - Colpensiones about the publication of the Report of Article 49 of the American Convention, the latter will take the respective steps to issue the Administrative Act that recognizes the concepts stated in favor of Mrs. Eladia Méndez Bautista and will proceed to the respective notification to the beneficiary.</p> <p>This measure shall be in charge of Colombian Pension Administrator - Colpensiones and shall be implemented in a term no longer than four (4) months once the Friendly Settlement Agreement is approved by the Inter-American Commission.</p>	<b>Partial substantial 2024</b>
116.		Structural	<p><b>III. Publication of the Article 49 report:</b></p> <p>The Colombian State shall publish the pertinent sections of the Friendly Settlement Report, once it has been approved by the Inter-American Commission, on the web page of the National Agency for the Legal Defense of the State, for a period of six (6) months.</p>	<b>Total 2024</b>
117.		Individual	<p><b>SIXTH PART: COMPENSATION MEASURES</b></p> <p>The Colombian State undertakes to initiate the process of Law 288 of 1996 "Whereby instruments are established for the compensation of damages to victims of human rights violations in accordance with the provisions of certain international human rights bodies", in order to repair the damages caused to the victims' next of kin as a consequence of the harm caused by the facts of this case. For the purposes of compensation, the criteria and amounts</p>	<b>Partial substantial 2024</b>



			<p>recognized by the current jurisprudence of the Council of State shall be used.</p> <p>Within the framework of the present measure and in order to avoid the phenomenon of double or excessive reparation, the petitioners undertake within thirty (30) calendar days following the signature of the Friendly Settlement Agreement to file before the Administrative Court of Arauca and send to the National Agency for the Legal Defense of the State, the writ of withdrawal of the Action for Direct Reparation pending before said Office [...]</p>	
118.	Case 14.887, Report No. 274/23, Blanca Ruth Sanchez de Franco and family,	Structural	<p><b>II. Publication of the Article 49 report</b></p> <p>The Colombian State shall publish the pertinent sections of the friendly settlement report, once it has been approved by the Inter-American Commission, on the web page of the National Agency for the Legal Defense of the State, for a period of six (6) months.</p>	<b>Total 2024</b>
119.		Individual	<p><b>SIXTH PART: HEALTH AND REHABILITATION MEASURES</b></p> <p>The Ministry of Health and Social Protection, in exercise of the powers described in Decree Law 4107 of 2011, shall coordinate, the health rehabilitation measures constituting medical, psychological and psychosocial care through the General Social Security Health System and its members, as well as the Psychosocial Care and Comprehensive Health Program for Victims - PAPSIVI, so as to ensure adequate, timely and priority treatment and for as long as necessary (according to medical criteria), in accordance with the legal provisions on the matter. [...]</p>	<b>Partial substantial 2024</b>
120.		Individual	<p><b>SEVENTH PART: COMPENSATION MEASURES</b></p> <p>The State undertakes to initiate the process of Law 288 of 1996 "Whereby instruments are established for the compensation of damages to victims of human rights violations pursuant to the provisions of certain international human rights bodies". The procedure will begin once this Friendly Settlement Agreement is homologated through the issuance of the Report of Article 49 of the American Convention, with the purpose of repairing the damages caused to the beneficiaries included in the third clause of this agreement as a consequence of the affectations generated by the facts of the present case.</p> <p>The National Agency for the Legal Defense of the State shall be the entity in charge of the proceedings under Law 288 of 1996.</p> <p>For the purposes of the indemnification of damages and their verification, the criteria and amounts recognized by the current jurisprudence of the Council of State shall be used.</p>	<b>Partial 2024</b>
121.	Case 13.711, Report No. 32/24, Levis Elcener Centeno Cuero and family,	Structural	<p><b>5. I. Act of Recognition of Responsibility.</b> On the date of the signing of this Friendly Settlement Agreement, the Colombian State, through the National Agency for the Legal Defense of the State will hold an Act of Recognition of Responsibility, which will be presided over by the Director General of said Agency and will include the participation of the family members of Mr. Levis Elcener Centeno Cuero and the rapporteur of the Inter-American Commission for Colombia, Commissioner Joel Hernández García. All aspects related to the development of the Act of Recognition of Responsibility have been coordinated with the petitioners, and the statement of the Colombian State regarding its international responsibility will be consistent with the recognition of responsibility indicated in this Friendly Settlement Agreement.</p>	<b>Total 2024</b>
122.	Case 12.843, Report No. 33/24, Luis and Leonardo Caisales Dogenesama,	Structural	<p><b>5. I. Act of Recognition of Responsibility.</b> The Colombian State will hold an in-person event to acknowledge responsibility with the participation of Leonardo Caisales Dogenesama and the victims' families. The event will be carried out in accordance with the acknowledgment of responsibility set forth in this Agreement and will be agreed upon with the active participation of the victims and their families.</p>	<b>Total 2024</b>



			The National Agency for the Legal Defense of the State will be responsible for this measure.	
123.	Case 13.892, Report No. 159/24, Denys Del Carmen Olivera De Montes and family,	Structural	<b>5. I. Ceremony for the Acknowledgment of Responsibility.</b> The Colombian State will hold a Ceremony for the Acknowledgment of Responsibility, with the participation of the family members of Denys del Carmen Olivera, Juan José Montes Balasnoa, and Piedad Montes Olivera and their representative. The event shall be consistent with the acknowledgment of responsibility set forth in this Agreement. The National Agency for the Legal Defense of the State shall be responsible for performing this measure.	<b>Total 2024</b>
124.		Individual	<b>5. IV. Commemorative plaque.</b> At the ceremony for the Acknowledgment of Responsibility, the Colombian State will present the family members with a plaque in memory of Denys del Carmen Olivera, Juan José Montes Balasnoa, and Piedad Montes Olivera. The words on the commemorative plaque shall be agreed with the family members and their representative. The National Agency for the Legal Defense of the State shall be responsible for performing this measure, as part of the measures of symbolic reparation.	<b>Total 2024</b>
125.	Case 13.602, Report No. 160/24, Nelson Enrique Giraldo Ramírez and family,	Structural	<b>5. I. Ceremony for the Acknowledgment of Responsibility.</b> The Colombian State shall carry out a ceremony for the acknowledgment of responsibility, which shall be presided over by the Director of the National Agency for Legal Defense of the State and shall include the participation of the rapporteur for Colombia, Commissioner José Luis Caballero Ochoa. All aspects related to said ceremony shall be agreed with the representative of the victims and family members. The ceremony shall be carried out in accordance with the acknowledgement of responsibility indicated in this Agreement. The National Agency for Legal Defense of the State will be responsible for coordinating this measure.	<b>Total 2024</b>
126.	Case 13.974, Report No. 161/24, Claudia Baracaldo Bejarano et al.,	Structural	<b>5. I. Ceremony for the Acknowledgment of Responsibility.</b> The Colombian State shall hold a ceremony for the acknowledgement of responsibility with the participation of Ms. Claudia Baracaldo Bejarano, family members, and representatives. The ceremony shall be carried out in accordance with the acknowledgement of responsibility indicated in this Agreement. This measure shall be entrusted to the National Agency for Legal Defense of the State.	<b>Total 2024</b>
127.	Case 12.842, Report No. 163/24, Brainer Alexander Oquendo Santana and family,	Structural	<b>5. I. Public ceremony for the Acknowledgment of Responsibility.</b> On the date of the signing of this Friendly Settlement Agreement, the Colombian State, through the National Agency for the Legal Defense of the State shall hold a Public Ceremony for the Acknowledgment of Responsibility. This ceremony will be presided over by the Director of the National Agency for the Legal Defense of the State and shall include the attendance of Brainer Alexander Oquendo Santana and the IACHR Rapporteur for Colombia, Commissioner José Luis Caballero Ochoa. All aspects relating to the holding of the Ceremony for the Acknowledgment of Responsibility have been coordinated with the Petitioners. The statement of the Colombian State regarding its international responsibility shall be made in accordance with the acknowledgment of responsibility set forth in the instant Friendly Settlement Agreement. The National Agency for the Legal Defense of the State shall be in charge of the coordination of this measure.	<b>Total 2024</b>

128.	Case 14.802, Report No. 164/24, José Alirio Cañas Morales and family,	Structural	<b>5.I. Public ceremony for the Acknowledgment of Responsibility.</b> The Colombian State will hold a Public Act of Recognition of Responsibility, with the participation of the victims and their representative. The event will be conducted in person and in accordance with the acknowledgment of responsibility set forth in this agreement. The National Agency for the Legal Defense of the State will be responsible for this measure. To finalize the event details, the family members and the representative will take part in a consultation process.	<b>Total 2024</b>
<b>Colombia:</b> Number of measures where progress was achieved: 82 (51 individual, 31 structural) Total compliance: 43 Partial substantial: 20 Partial compliance: 19				
No.	Matter	Impact	Clause or measure	Level of compliance achieved
<b>ECUADOR</b>				
129.	Case 12.631, Report	Individual	2. Immediate medical care to Martha Cadena and transfer to a prison house or correctional institution.	<b>Total 2024</b>
130.	61/13, Karina Montenegro Et al.	Structural	c) Creation of a prison house or correctional prison.	<b>Total 2024</b>
131.		Structural	d) Provision of material to the existing daycare centers in the country's Rehabilitation Centers and creation of daycare centers in existing centers.	<b>Total 2024</b>
<b>Ecuador:</b> Number of measures where progress was achieved: 3 (1 individual, 2 structural) Total compliance: 3 Partial substantial: N/A Partial compliance: N/A				
<b>GUATEMALA</b>				
132.	Case 12.737, Report No. 114/21, Carlos Raúl Morales Catalán, José Raúl and Javier Ernesto Morales Vera	Individual	c) <b>Medical Assistance:</b> The State of Guatemala, in accordance with the possibilities and hospital services of the Ministry of Public Health and Social Assistance, undertakes to provide permanent medical, physical, and psychological care to the petitioner Carlos Raúl Morales Catalán, Mónica Esmeralda Vera Mármol de Morales and their two children, José Raúl and Javier Ernesto Morales Vera, who specifically require surgical, neurological, and psychological care, through the appropriate specialists.	<b>Total 2024</b>
<b>Guatemala:</b> Number of measures where progress was achieved: 1 (1 individual) Total compliance: 1 Partial substantial: N/A Partial compliance: N/A				
No.	Matter	Impact	Clause or measure	Level of compliance achieved
<b>HONDURAS</b>				
133.	Case 11.562, Report No. 40/21, Dixie	Individual	<b>Clause 5. Physical and psychological rehabilitation measures</b> The State of Honduras undertakes to provide comprehensive medical, psychiatric and psychological care to the families of the	<b>Total 2024</b>

	Miguel Urbina Rosales		victims, free of charge and through its public health institutions when the victims deem it necessary. To this end, the Honduran State undertakes to provide, free of charge and through public health officials, the adequate treatment required by said persons, after a medical evaluation and issuance of the consent of the victim's family members for this purpose. [...]	
<b>Honduras:</b> <b>Number of measures where progress was achieved: 1 (1 individual)</b> <b>Total compliance: 1</b> <b>Partial substantial: N/A</b> <b>Partial compliance: N/A</b>				
No.	Matter	Impact	Clause or measure	Level of compliance achieved
<b>MEXICO</b>				
134.	Petition 735-07, Report No. 110/20, Ismael Mondragon Molina,	Individual	<b>Clause 3.4 Act of acknowledgment of responsibility.</b> The "MEXICAN STATE" shall hold a public ceremony of recognition of responsibility and public apology in which it recognizes that Ismael Mondragon Molina died because of medical malpractice, attributable to the medical staff of Children's Hospital of the State of Sonora. The public ceremony of recognition shall be headed by the Under-Secretary of Human Rights of the "SEGOB," as well as by the Under-Secretary for Unilateral Affairs and Human Rights of the "SRE." The Governor of the state of Sonora shall be invited to attend said ceremony or to designate a high-level official to attend on her behalf. The specific contents of the ceremony of recognition of responsibility shall be incorporated into the present Agreement in Annex 2, which shall be agreed upon between "THE PARTIES" in conformity with the provisions in the present clause, and they shall part of a public ceremony to be held after the present agreement has been signed. Annex 2 must include the date, place, and general characteristics of the public ceremony of recognition of responsibility. The "MEXICAN STATE" must offer "THE VICTIMS" or their "REPRESENTATIVE" a proposal for the ceremony of recognition of responsibility, which shall incorporate into Annex 2, within three months after the agreement has been signed. The public ceremony must be held within six months after "THE PARTIES" have agreed upon the terms of Annex 2.	<b>Total 2024</b>
135.		Structural	<b>Clause 3.4.1 Dissemination of the Act of acknowledgment of responsibility.</b> The public ceremony of recognition of responsibility shall be disseminated according to the terms set forth in Annex 2	<b>Total 2024</b>
136.	Case 13.007, Report No. 61/22, José Alfredo Jiménez Mota and family,	Structural	<b>V.1 ACT OF PUBLIC ACKNOWLEDGEMENT OF INTERNATIONAL RESPONSIBILITY AND APOLOGY</b> "THE MEXICAN STATE" shall conduct an act of acknowledgment of international responsibility and apology to "THE VICTIMS" within 6 (six) months following the signature of this Agreement. Said act shall acknowledge the human rights violations committed in this case included by the IACHR in its Admissibility Report No. 58/15; namely: Articles 3, 4, 5, 7, 8, 13 and 25 of the ACHR, in connection with Article 1.1 thereof and Articles I and III of the Inter-American Convention on Forced Disappearance of Persons. This act of recognition and apology will be headed by the Undersecretary of Human Rights, Population and Migration of "GOVERNANCE" to which the Governor of the State of Sonora shall attend.	<b>Total 2024</b>

			The particular content of the act of acknowledgment of international responsibility is incorporated into this Friendly Settlement Agreement (ANNEX 1). Said annex was agreed upon by "THE PARTIES" in accordance with the provisions of this clause. "THE MEXICAN STATE" will guarantee and cover the expenses for the participation of "THE VICTIMS" and their accompanying persons in this act of acknowledgement and apology. Said acknowledgment, and the facts of the case, must be published in the Official Gazette of the Federation and on the "GOVERNANCE" website. Additionally, it must be published in a newspaper of wide national circulation, as well as in a newspaper of Sonora.	
137.	Case 14.073, Report No. 162/24, Zenon Alberto Medina López and Relatives,	Individual	<p><b>7. Health measures.</b> [...] The "MEXICAN STATE" undertakes to provide each of the "THE VICTIMS" with adequate, preferential and cost-free medical and psychological care, and specialized care as required.</p> <p>Medical care shall be provided through the public institutions of the "MEXICAN STATE" and in the event that the medical or psychological service required by "THE VICTIMS" needs to be provided in facilities outside their place of residence, the "MEXICAN STATE" shall pay the costs of any travel needed and per diem expenses, provided that the facilities are within the Mexican territory and these services cannot be provided in their place of residence.</p> <p>Medical care shall be extended to the provision of medicines, analyses, necessary studies, and all supplies required, even when the closest public institutions to the place of residence does not have them, thereby ensuring that the "MEXICAN STATE" guarantees complete care through the "CEAV."</p> <p>The "MEXICAN STATE" shall not be obligated to provide medical or psychological care to "THE VICTIMS" if they decide to temporarily or permanently change their residence outside the national territory. Notwithstanding the fact that the medical care may be resumed in the event that they return to Mexican territory.</p>	Partial 2024
138.		Individual	<p><b>9. Compensation.</b> The "MEXICAN STATE" shall issue a payment corresponding to the damages suffered by the affected party, including both material and non-material damages. The payment shall be made considering the provisions of the Rules of Operation of the Trust for the Fulfillment of Human Rights Obligations (Rules of Operation), taking into account the concepts contained in this instrument, and the amounts specified in the corresponding Appendices of the "AGREEMENT."</p> <p>9.1. Compensation for non-material damages. [...]</p> <p>9.2. Compensation for material damages. [...]</p>	Total 2024
139.		Individual	<p><b>9.3. Academic scholarships.</b> As of the signing of this agreement, the "MEXICAN STATE" shall provide scholarships to Reynalda Morales Rodríguez, Jair Alberto Medina Morales, Jesús Brayton Medina Morales, and Jonathan Medina Morales, to enable them to continue with their studies until they complete their university studies, provided they comply with the requirements established in the Rules of Operation.</p> <p>Likewise, considering the degree of progress achieved in their university studies, the "MEXICAN STATE" will make a one-time payment for each of the aforementioned persons for degree expenses and issuance of professional certificates for those victims who have already completed their undergraduate studies or are close to completing them, either by way of reimbursement or payment upon presentation of a receipt (pago a contrarrecibo). For the delivery of the above-mentioned educational support, it will be necessary to submit a proof of studies detailing the degree</p>	Partial substantial 2024

			of progress of the beneficiaries, the approximate time it will take them to graduate, and the cost of the process according to the corresponding university, including the expenses for the processing of any professional license.	
140.		Individual	<b>10. Access to justice.</b> The "MEXICAN STATE", through the "CEAV" and in collaboration with "THE REPRESENTATION", agrees to appoint a Victim's Legal Advisor so that "THE VICTIMS" may access and obtain copies of the cases and other criminal files that are open, related to the facts of the instant case.	<b>Total 2024</b>
<b>Mexico:</b> <b>Number of measures where progress was achieved: 7 (5 individual, 2 structural)</b> <b>Total compliance: 5</b> <b>Partial substantial: 1</b> <b>Partial compliance: 1</b>				
No.	Matter	Impact	Clause or measure	Level of compliance achieved
<b>PANAMÁ</b>				
141.	Case 13.017 C, Report No. 91/19, Relatives of the victims of the military dictatorship, October 1968 to December 1989	Individual	3. Payment of pecuniary reparation. The parties recognize the technical reports resulting from the expert actuarial studies performed by Marcelo Araúz Moreno, economist, license No. 265 and Certified Public Accountant No. 0633-2009, submitted in accordance with requirements of the Ministry of Economy and Finance, on April 13, 2019, regarding the damages suffered by the following family members of the victims of the military dictatorship, [...]. In ANNEX A to this Agreement, the parties include a list of family members of victims recognized by the parties in relation to Case 13.017-C "Relatives of Victims of the Military Dictatorship of Panama from October 1968 to December 1989," which they consider to be consistent with the Final Report of the Truth Commission of Panama. The parties view Annex A as an integral part of this friendly settlement agreement. [...]	<b>Total 2024</b>
<b>Panama:</b> <b>Number of measures where progress was achieved: 1 (1 individual)</b> <b>Total compliance: 1</b> <b>Partial substantial: N/A</b> <b>Partial compliance: N/A</b>				
No.	Matter	Impact	Clause or measure	Level of compliance achieved
<b>PARAGUAY</b>				
142.	Petition 747-05, Report No. 256/20, Y'akâ Marangatú Indigenous Community Mbya people	Structural	<b>SIXTH:</b> The State, through the Ministry of National Emergency [SEN in Spanish] or the Secretariat of Social Action [SAS in Spanish], undertakes to provide basic food to the Community on a monthly basis, as well as the provision of drinking water through the Itapúa Governorate, until the Community can supply itself.	<b>Partial substantial 2024</b>
<b>Paraguay:</b> <b>Number of measures where progress was achieved: 1 (1 structural)</b> <b>Total compliance: N/A</b> <b>Partial substantial: 1</b> <b>Partial compliance: N/A</b>				
<b>PERU</b>				

143.	Petition 494-04, Report No. 20/08, Romeo Edgardo Vargas Romero	Structural	<b>Clause 3. Ceremony of public apology:</b> The representative of the Peruvian State undertakes the commitment to hold a ceremony of public apology in favor of the reinstated judges.	<b>Total 2024</b>
<b>Perú:</b> <b>Number of measures where progress was achieved: 1 (1 structural)</b> <b>Total compliance: 1</b> <b>Partial substantial: N/A</b> <b>Partial compliance: N/A</b>				
<b>Number of measures where progress was achieved</b>			<b>143</b>	
<b>Total number of measures where total compliance was achieved</b>			<b>85</b>	
<b>Total number of measures where partial substantial compliance was achieved</b>			<b>25</b>	
<b>Total number of measures where partial compliance was achieved</b>			<b>33</b>	
<b>Total number of structural measures where progress was achieved</b>			<b>55</b>	
<b>Total number of individual measures where progress was achieved</b>			<b>88</b>	

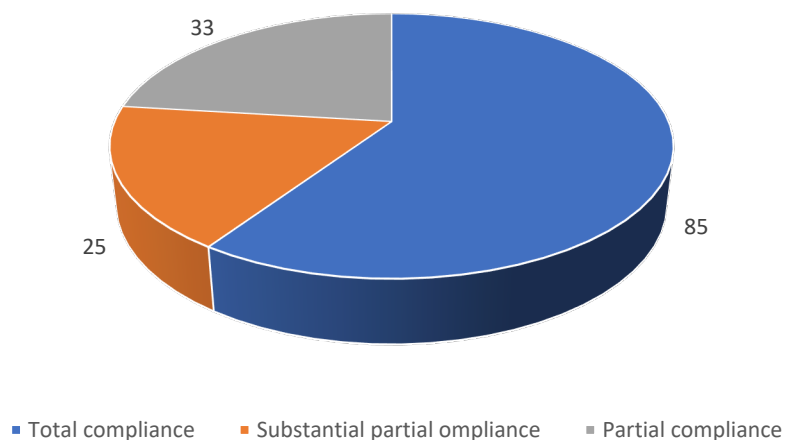
116. The Commission values the efforts of the states of Argentina, Brazil, Chile, Colombia, Ecuador, Guatemala, Honduras, Mexico, Panama, Paraguay and Peru, and welcomes the progress they have made with implementing the clauses in the friendly settlement agreements that contain commitments to victims and their next of kin and on their compliance with the settlement agreements approved by the Inter-American Commission on Human Rights. The Commission reiterates that said compliance is vital for legitimization of the friendly settlement mechanism and for forging trust in the agreements and in the good faith of States wishing to comply with their international commitments. At the same time, the Commission wishes to take this opportunity to urge all States using the friendly settlement mechanism to complete compliance with measures currently being implemented, so that the IACHR can certify total compliance with the friendly settlement agreements and stop monitoring them.

### c. Charts on progress with friendly settlement agreements

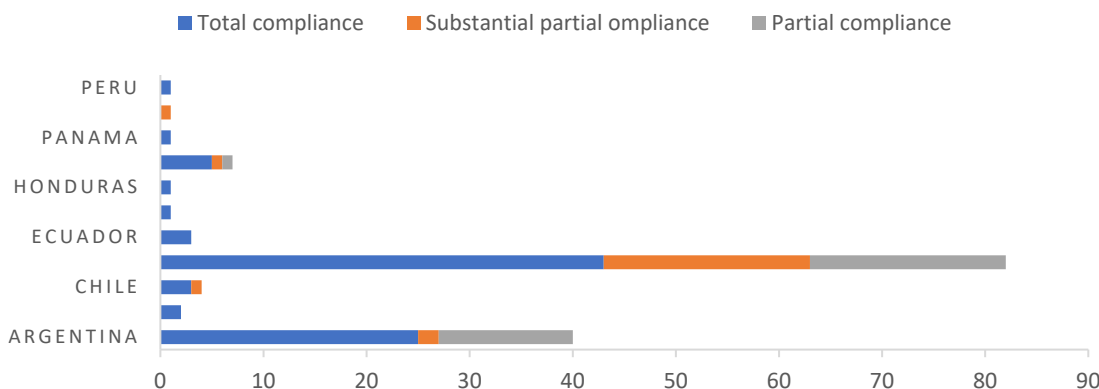
117. Based on the above, following is a graphic description of progress observed with the implementation of friendly settlement agreements in 2024:

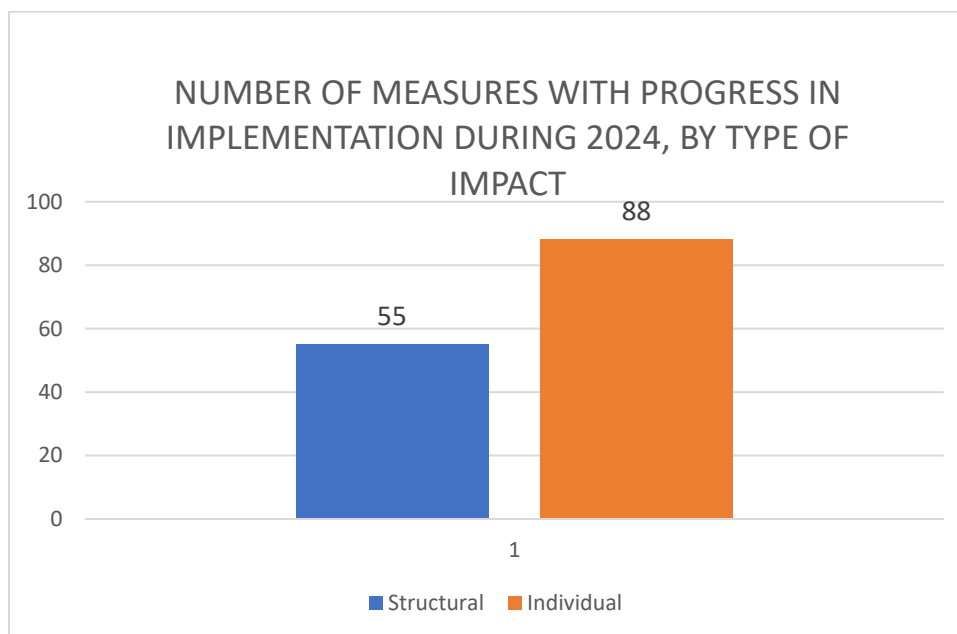


**Number of Measures with progress in implementation during 2024, by level of implementation**



**NUMBER OF MEASURES WITH PROGRESS IN IMPLEMENTATION DURING 2024, BY STATE**





**d. New friendly settlement agreements signed**

118. In 2024, a total of **19** new friendly settlement agreements were signed. They are listed next, in chronological order by the date they were signed:

No.	Matter	Name	Country	Date of signature [YY/MO/DD]
1	15.172	Gloria Lara and children	CO	2023.12.12 <sup>12</sup>
2	13.001	Pueblo Yaqui	MX	2023.12.02 <sup>13</sup>
3	13.533	Juan Isaías Heredia Olivares and Family	CH	2024.03.19
4	P-78-16	Alfredo Marín Bustos and others	MX	2023.02.24 <sup>14</sup>
5	14.802	José Alirio Cañas Morales and Family	CO	2024.05.22
6	14.304	Jhon Fredy Lopera Jaramillo and Family	CO	2024.05.23
7	11.990B	Jhon Jairo Cabarique	CO	2024.05.23
8	12.842	Luis Giován Laverde Moreno and others	CO	2024.05.23
9	13.602	Nelson Enrique Giraldo Ramírez and Family	CO	2024.05.24
10	15.018	Martha Silva Beltran and A.M.S. B	CO	2024.07.05
11	13.139	Javier Charque Choque	BO	2024.08.20
12	12.528	Raúl García Linera and others	BO	2024.08.20

<sup>12</sup> This FSA is reported this year because the Commission received the information after the elaboration of its 2023 Annual Report.

<sup>13</sup> Ibidem.

<sup>14</sup> Ibidem.

13	13.345	Gloria Lucia Magali Neira Rivas and Juan Pablo Belisario Poupin Neira	CH	2024.08.23
14	13.738	Juan Antonio Eduardo Paredes Barrientos	CH	2024.08.23
15	14.150	Bernardo de Castro Lopez	CH	2024.08.23
16	13.661	Giorgio Vera Fernandez	CH	2024.08.14
17	14.628	Manfred Reyes	BO	2024.09.26
18	1221-07	Feliciano Vera González	PY	2024.10.08
19	13.778	Jorge Alirio Pulgarín, Juan Amado Pulgarín y familia	CO	2024.10.18

119. The Commission commends the states of Bolivia, Chile, Colombia, Mexico and Paraguay for their openness to engage with dialogue with the various victims and their representatives to find, together, formulas for making reparation to the victims of human rights violations in the aforementioned matters, taking account of their needs and interests by reaching a friendly settlement.

**e. New friendly settlement monitoring processes**

120. The Commission announces with satisfaction that, in 2024, **13** reports approving friendly settlements were published, for which these matters came to be monitored, for the first time, in the follow up mechanism of the Annual Report of the IACHR. They are listed next, in alphabetical order by the state concerned and chronological order based on the date the Commission's decisions were issued:

Report No.	Petition/Case	Country
27/24	Caso 14.835 Lilia Ana Villagra	Argentina
28/24	Caso 14.836 Lydia Cristina Vieyra	Argentina
29/24	Caso 14.940 Horacio Ricardo Neuman	Argentina
30/24	Caso 14.739 Mary Beatriz Guerra Peña	Argentina
31/24	Caso 13.696 Octavio Romero y Gabriel Gersbach	Argentina
32/24	Caso 13.711 Levis Elcener Centeno Cuero and Family	Colombia
33/24	Caso 12.843 Luis y Leonardo Caisales Dogenesama	Colombia
159/24	Caso 13.892 Denys del Carmen Olivera de Montes and Relatives	Colombia
160/24	Caso 13.602 Nelson Enrique Giraldo Ramirez and Family	Colombia
161/24	Caso 13.974 Claudia Baracaldo Bejarano and Family	Colombia
163/24	Caso 12.842 Brainer Alexander Oquendo Santana	Colombia
164/24	Caso 14.802 José Alirio Cañas Morales and Family	Colombia
162/24	Caso 14.073 Zenon Alberto Medina López and Relatives	Mexico

121. Consequently, the Commission commends the states of Argentina, Colombia, and Mexico and urges them to continue taking actions to comply with those friendly settlement agreements that remain under follow up stage, for the next Annual Report in 2025. For more information on the content of these agreements and the levels of implementation achieved, visit to the [IACHR Friendly Settlement Reports website](#).

### 3. Activities carried out to promote friendly settlements in 2024

#### a. Activities to foster the negotiation and implementation of FSAs

122. As regards the line of work that involves actively facilitating the negotiation of and compliance with friendly settlement agreements, in 2024 the Commission held **23** working meetings to foster the negotiation and implementation of friendly settlement agreements in different matters from Argentina, Bolivia, Chile, Colombia, Guatemala, Honduras, Mexico and Paraguay. Moreover, the Commission facilitated **36** technical meetings to foster friendly settlement efforts and/or preparatory meetings over the year, in various matters from Argentina, Bolivia, Colombia, Guatemala, Mexico, Paraguay and Dominican Republic. Accordingly, in 2024 a total of **59** dialogues tables were facilitated with the parties to advance in friendly settlements.

123. Throughout 2024 the Commission held **14** periodic meetings to review the portfolios of negotiation and monitoring of friendly settlements with Argentina (1); Bolivia (1); Brazil (1); Colombia (2); Ecuador (1); Guatemala (1); Honduras (1); Mexico (2); Panama (1); Paraguay (1); Peru (1) and Dominican Republic (1).

124. In 2024, the Commission issued **9** press releases on friendly settlements<sup>15</sup> and maintained the practice of making visible the progress in the homologation and total compliance of friendly settlement agreements to encourage the authorities in charge of the execution of those measures to follow through on the commitments assumed by the States in friendly settlement agreements.

125. In 2024, the IACHR cleared up **23** matters under the friendly settlement mechanism through **13** homologations, **3** instances of ending negotiations at the request of the parties, **1** matter decided *motu proprio* under Resolution 3/20 and **6** matters archived in the monitoring phase due to inactivity, loss of contact with victims or at the request of the petitioner.<sup>16</sup>

126. The Commission also provided technical advice to the parties in **9** matters subjected to the friendly settlement mechanism involving Bolivia, Colombia and Peru providing information on the mapping of victims, general guidance to draft FSA and/or objective criteria on relevant background of financial compensation under friendly settlement agreements and judgments of the Inter-American Court of Human Rights.

127. Lastly, the Commission participated in **9** ceremonies for signing and/or acknowledgements of responsibility in compliance with various friendly settlement agreements involving Bolivia, Chile and Colombia,<sup>17</sup> including:

No.	Case/ Petition	Name	Country	Date MM/DD/YY
1.	13.533	Juan Isaias Heredia Olivares y Familia	CH	3/19/2024
2.	13.606	Raiza Isabel Salazar	CO	3/19/2024
3.	14.802	José Alirio Cañas	CO	5/24/2024
4.	15.172	Gloria Lara and children	CO	5/24/2024

<sup>15</sup> In this regard, see Press Releases from the IACHR on Friendly Solutions in 2024. Available at: [OAS :: IACHR :: Friendly Settlement :: Press Releases related to friendly settlements](#).

<sup>16</sup> Case 12.080, Report No. 102/05, Sergio Andrés Schiavini and María Teresa Schnack, Argentina; Petition 4617-02, Report No. 30/04, Members of the Indigenous Community Ralco Lepoy, from Alto Bío Bío (Mercedes Julia Huenteao), Chile; Case 12.205, Report No. 44/06, Jose Rene Castro Galarza, Ecuador; Case 12.732, Report No. 86/20, Richard Conrad Solorzano Contreras, Guatemala; Case 12.358, Report No. 24/13, Octavio Rubén González Acosta, Paraguay; and Petition 494-04, Report No. 20/08, Romeo Edgardo Vargas Romero and others, Peru.

<sup>17</sup> In this regard, see Press Release No. 113, [IACHR Completes Working Visit to Colombia Regarding Transition Cases and Friendly Settlements](#), Published on May 24, 2024.

5.	14.304	Jhon Fredy Lopera Jaramillo	CO	5/28/2024
6.	11.990 B	Jhon Jairo Cabarique	CO	5/23/2024
7.	12.842	Luis Giován Laverde Moreno and others	CO	5/23/2024
8.	13.602	Nelson Enrique Giraldo Ramírez and Family	CO	5/28/2024
9.	13.139	Javier Charque Choque	BO	10/9/2024

128. The Commission appreciates and welcomes the good will of the States of Bolivia, Chile and Colombia in implementing these important measures of redress—in face-to-face, virtual and hybrid modalities—and for disseminating them via various media and networks.

**b. Activities to promote the sharing and dissemination of best practices in friendly solutions and to develop tools to facilitate access to information regarding the friendly settlement procedure for users of the Inter-American Human Rights System (IAHRS)**

129. Relating to the IACHR's line of action on the promotion and dissemination of good practices in friendly settlements, it is worth noting that, in 2024, different training activities were carried out, as well as the dissemination of good practices regarding friendly solution.

130. Accordingly, in January 2024, dialogues were held with the African Court of Human Rights to provide technical support in building its capacity to develop its friendly settlement mechanism and to prepare internal guidelines and handbooks for users of the mechanism within said institution. This initiative demonstrates the positioning of the friendly settlement procedure in the Inter-American Human Rights System and the work of the IACHR as an international benchmark in alternative dispute resolution and mediation.

131. Likewise, from May 21 to 24, 2024, a working visit to Colombia was conducted, led by the Commissioner Country Rapporteur, with the main objective of promoting the implementation of concrete measures of comprehensive reparation within the framework of petitions and cases of friendly settlement and cases in transition. In this context, Commissioner Caballero and the technical team of the IACHR Executive Secretariat participated in important events, including the signing of friendly settlement agreements and acknowledgements of responsibility, and also facilitated working meetings to follow up on the implementation of friendly settlement agreements approved by the IACHR.

132. On the other hand, on July 12, the Dialogue between the African Commission on Human and Peoples' Rights and the Inter-American Commission on Human Rights (IACHR) was held, during which the Friendly Settlement Mechanism of the IACHR was presented. The meeting addressed the concerns of the members of the African Commission about the mechanism, conceived as a process that allows the parties to negotiate an agreement for the resolution of the situation brought before the IACHR and its consequences, according to the needs and interests of the victims and separate from the contentious procedures. This space for dialogue highlighted the importance of fostering innovative practices in alternative dispute resolution, promoting comprehensive reparations for victims, and strengthening inter-regional collaboration on human rights. This dialogue reflected the mutual commitment to advance methods that prioritize restorative justice and strategic cooperation between the two institutions.

133. Finally, on November 13, 2024, a meeting was held with the focal points of the United Nations, the European Court of Human Rights, and the Inter-American Court of Human Rights, with the aim of exchanging experiences on the progress and best practices in friendly settlements and identifying areas for cooperation.

#### 4. Status of compliance with reports on friendly settlement agreements, approved pursuant to article 49 of the American Convention on Human Rights

134. In compliance with its conventional and statutory attributes, and in accordance with article 48 of the Rules of Procedure, the IACHR makes the follow-up to its own decisions regarding friendly settlements. This Commission practice began in 2000 and from this moment onwards, information has been requested annually from parties of different petitions and cases to follow-up on friendly settlement reports published in light of article 49 of the American Convention and update the status of compliance of each of the matters under the supervision of the IACHR. Additionally, the IACHR receives information at hearings or working meetings held during the year, and which is also taken into consideration for the analysis of the state of compliance with friendly settlement proceedings as appropriate in each case.

135. For the elaboration of this Chapter, the Commission requested information to the users of the follow up of friendly settlement tool and analyzed in this report the information submitted by the parties until October 15, 2024. Any information received thereafter did not make it into the Chapter could be taken into consideration for the 2025 Annual Report. The parties were duly advised of this information in the context of the requests for information for the preparation of this Chapter of the Annual Report. It should also be noted that the Commission took into account on exceptional basis information received after the closing date in those cases, where working meetings were held in the framework of the working meeting days as well as during the Period of Sessions that generated subsequent actions carried out based on the work lines developed in those meetings or in those matters in which the parties sent partial information within the term provided and after the period they added complementary or clarifying information.

136. The Inter-American Commission on Human Rights continues to make efforts to communicate more clearly the progress made toward implementing friendly settlement agreements. To that end, the Commission prepared detailed compliance monitoring sheets on each active case, identifying both the individual and structural impacts in each case. In the table listed below the link to the record analysis of compliance with each one of the friendly settlement agreements that are currently under follow up stage can be accessed, and the level of general compliance of each case can be observed along with the percentage of execution of the agreements. This allows the parties to see the level of implementation of the agreement beyond the most categories of compliance, partial and pending. Finally, it should be pointed out that in this opportunity the Commission maintained the categories of analysis of the information supplied by the parties,<sup>18</sup> as well as the categories for the individualized analysis of the clauses of the friendly settlement<sup>19</sup> and the categories of the general analysis of the fulfillment of the friendly settlement agreements traditionally used.<sup>20</sup>

<sup>18</sup> Below are the categories of information analysis:

- **Relevant information provided:** the information provided is relevant, updated and extensive on measures adopted related to compliance with at least one of the clauses of the friendly settlement agreement, within the period specified by the IACHR.
- **Information provided that is not relevant:** the information was provided within the period specified by the IACHR but does not refer to the measures adopted regarding compliance with at least one of the clauses of the friendly settlement agreement pending compliance, is outdated, or is repetitive to the information presented in previous years without presenting new information.
- **Information not provided:** information on measures adopted to comply with clauses of the friendly settlement agreement was not provided; The IACHR is expressly informed that the information will not be presented; or extension(s) to provide information were requested and, in the end, the information was not provided.

<sup>19</sup> The individual compliance status categories of its friendly settlement agreement clauses are listed below:

- **Total compliance:** a FSA clause in which the State has begun and satisfactorily completed the measure for compliance.
- **Partial Substantial compliance:** a FSA clause in which the State has adopted relevant measures for compliance and has provided evidence thereof, but the Commission finds that the measures for compliance thereof have still not been completed.
- **Partial compliance:** a FSA clause in which the State has adopted some measures for compliance, but it still must adopt additional measures.
- **Compliance pending:** a FSA clause in which the State has not adopted any measure to comply with the measure; or the steps taken have still not produced concrete results; or the measure(s) adopted is/are not relevant to the situation under examination.
- **Non-compliance:** a FSA clause in which, due to the State's conduct, it is not possible for the State to comply, or the State has expressly advised that it will not comply with the measure.

<sup>20</sup> The Commission decided to maintain the traditionally used categories of comprehensive examination of petitions and cases, which are:



137. In light of the above, the commission observes that the status of compliance with friendly settlement agreements in 2024, is as follows:

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
1. Case 11.307, Report No. 103/01, María Merciadri de Morini (Argentina) <sup>23</sup>	<a href="#">Link to monitoring sheets on matters related to reports of friendly settlement agreements of Argentina that are subject to monitoring</a>	X			100%	Closed
2. Case 11.804, Report No. 91/03, Juan Angel Greco (Argentina)			X		63%	Active
3. Case 12.080, Report No. 102/05, Sergio Schiavini and María Teresa Schnack (Argentina)			X		50%	Closed 2024
4. Case 12.298, Report No. 81/08, Fernando Giovanelli (Argentina) <sup>24</sup>			X		60%	Closed
5. Case 12.159, Report No. 79/09, Gabriel Egisto Santillan		X			100%	Closed

• **Total compliance:** those cases in which the State has fully complied with all of the FSA clauses published by the IACHR. The Commission considers as complied with all the clauses of the FSA in which the State has started and satisfactorily completed the measures for compliance of all the clauses of the agreement.

• **Partial compliance:** those cases in which the State has partially complied with the FSA clauses published by the IACHR, either by having complied with only one or some of the FSA clauses, or through incomplete compliance with all of the FSA clauses; those cases in which the State has fully complied with all of the FSA clauses published by the IACHR except for one of them, with which it has been unable to comply.

• **Compliance pending:** those cases in which the IACHR considers that there has been no compliance with the FSA clauses published by it, because no steps were taken to that end; or the steps taken have still not produced concrete results; because the State has expressly indicated that it will not comply with the FSA clauses published by the IACHR; or the State has not reported to the IACHR and the Commission has no information from other sources to suggest otherwise.

<sup>21</sup> The cases in which there is a repetition of the matter number followed by a letter refer to negotiation processes in which the figure of the disaggregation was applied due to the existence of different beneficiaries of separate FSA; to address different claims according to the interests of the victims and/or petitioners, or because of the loss of contact and/or lack of will of any of the victims and/or petitioners to advance through the friendly settlement procedure, among other scenarios.

<sup>22</sup> The percentage of compliance was calculated taking into consideration the total number of measures established in each agreement as a 100%, and the number of clauses that have been totally complied with.

<sup>23</sup> See IACHR, Annual Report 2008, Chapter III, Section D: Status of Compliance with IACHR Recommendations, paras. 38-40.

<sup>24</sup> See [IACHR, Annual Report 2019, Chapter II, Section G. Friendly Settlements](#). At the petitioner's request, the Commission decided, in accordance with Article 42 and 48 of its Regulations, to cease monitoring compliance with the friendly settlement agreement and close the matter. The IACHR considers that the State failed to comply with the justice measures and legislative reforms enshrined in the friendly settlement agreement.

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
Reigas (Argentina) <sup>25</sup>						
6. Case 11.758, Report No. 15/10, Rodolfo Correa Belisle (Argentina) <sup>26</sup>		X			100%	Closed
7. Case 11.796, Report No. 16/10, Mario Humberto Gómez Yardez (Argentina) <sup>27</sup>		X			100%	Closed
8. Case 12.536, Report No. 17/10, Raquel Natalia Lagunas and Sergio Antonio Sorbellini (Argentina)			X		80%	Active
9. Petition 242-03, Report No. 160/10, Inocencia Luca Pegoraro (Argentina) <sup>28</sup>		X			100%	Closed
10. Petition 4554-02, Report No. 161/10, Valerio Castillo Báez (Argentina) <sup>29</sup>		X			100%	Closed
11. Petition 2829-02, Report No. 11/19, Inocencio Rodríguez (Argentina) <sup>30</sup>		X			100%	Closed

<sup>25</sup> See IACHR, *Annual Report 2022*, Chapter II, Section C. Advances and regressions on negotiation and Implementation of Friendly Settlement Agreements. Available in: [https://www.oas.org/en/iachr/docs/annual/2022/Chapters/4-IA2022\\_Cap\\_2\\_EN.pdf](https://www.oas.org/en/iachr/docs/annual/2022/Chapters/4-IA2022_Cap_2_EN.pdf).

<sup>26</sup> See IACHR, *Annual Report 2015*, Chapter III, Section D: Status of Compliance with IACHR Recommendations, para. 114.

<sup>27</sup> See IACHR, *Annual Report 2011*, Chapter III, Section D: Status of Compliance with IACHR Recommendations, paras. 159-164.

<sup>28</sup> See IACHR, *Annual Report 2021*, Chapter II, Section F. Negotiation, and implementation of friendly settlement agreements. Available in: <http://www.oas.org/en/iachr/docs/annual/2021/Chapters/IA2021cap2-en.pdf>.

<sup>29</sup> See IACHR, *Annual Report 2013*, Chapter III, Section D: Status of Compliance with IACHR Recommendations, paras. 165 – 175.

<sup>30</sup> See IACHR, *Annual Report 2016*, Chapter II, Section D: Status of Compliance with Recommendations and Friendly Settlements in individual cases, paras. 194-205.

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
12. Case 11.708, Report No. 20/11, Anibal Acosta and L. Hirsch (Argentina) <sup>31</sup>		X			100%	Closed
13. Case 11.833, Report No. 21/11, Ricardo Monterisi (Argentina) <sup>32</sup>		X			100%	Closed
14. Case 12.532, Report No. 84/11, Penitentiaries of Mendoza (Argentina)			X		73%	Active
15. Case 12.306, Report No. 85/11, Juan Carlos de la Torre (Argentina)			X		33%	Active
16. Case 11.670, Report No. 168/11, Menéndez and Caride (Argentina) <sup>33</sup>		X			100%	Closed
17. Case 12.182, Report No. 109/13, Florentino Rojas (Argentina) <sup>34</sup>		X			100%	Closed
18. Petition 21-05, Report No. 101/14, Ignacio Cardozo et al. (Argentina)			X		20%	Active
19. Case 12.710, Report No. 102/14, Marcos Gilberto Chaves and Sandra Beatriz Chaves (Argentina) <sup>35</sup>		X			100%	Closed

<sup>31</sup> See, IACHR, Annual Report 2014, Chapter II, Section D: States of Compliance with the Recommendations of the IACHR, paras. 173-181.

<sup>32</sup> See IACHR, Annual Report 2012, Chapter III, Section D: Status of Compliance with IACHR Recommendations, paras. 180-183.

<sup>33</sup> See IACHR, Annual Report 2013, Chapter II, Section D: Status of Compliance with IACHR Recommendations, paras. 225-252.

<sup>34</sup> See IACHR, *Annual Report 2022*, Chapter II, Section C. Advances and regressions on negotiation and Implementation of Friendly Settlement Agreements. Available in: [https://www.oas.org/en/iachr/docs/annual/2022/Chapters/4-IA2022\\_Cap\\_2\\_EN.pdf](https://www.oas.org/en/iachr/docs/annual/2022/Chapters/4-IA2022_Cap_2_EN.pdf).

<sup>35</sup> See IACHR, Annual Report 2018, Chapter II, Section G. "Status of Compliance with the Recommendations Issued by the IACHR in Merits Reports and Friendly Settlement Agreements Approved by the IACHR."

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
20. Case 12.854, Report No. 36/17, Ricardo Javier Kaplun (Argentina)			X		60%	Active
21. Case 13.011, Report No. 197/20, Graciela Ramos Rocha, and family (Argentina) <sup>36</sup>		X			100%	Closed
22. Petition 245-03, Report No. 39/21, Walter Mauro Yañez (Argentina) <sup>37</sup>		X			100%	Closed
23. Case 13.595, Report No. 207/21, Amanda Graciela Encaje and Family (Argentina)			X		71%	Active
24. Case 12.289, Report No. 168/2022, Guillermo Santiago Zaldivar (Argentina)			X		50%	Active
25. Petition 1256-05, Report No. 305/22, Ivana Rosales (Argentina)			X		54%	Active
26. Case 13.869, Report No. 349/22, Silvia Mónica Severini (Argentina) <sup>38</sup>		X			100%	Closed
27. Case 14.669, Report No. 350/22, Mariano Bejarano (Argentina) <sup>39</sup>		X			100%	Closed

<sup>36</sup> See IACHR, Annual Report 2021, Chapter II, Section F. Negotiation, and implementation of friendly settlement agreements. Available in: <http://www.oas.org/en/iachr/docs/annual/2021/Chapters/IA2021cap2-en.pdf>.

<sup>37</sup> See IACHR, Report No. 39/21, Petition 245-03. Friendly Settlement. Walter Mauro Yañez. Argentina. March 19, 2021.

<sup>38</sup> See IACHR, [Annual Report 2023, Chapter II, Section C. Advances and challenges on negotiation and implementation of friendly settlement agreements.](#)

<sup>39</sup> See IACHR, [Annual Report 2023, Chapter II, Section C. Advances and challenges on negotiation and implementation of friendly settlement agreements.](#)

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
28. Case 13.888, Report No. 85/23, Diego Pablo Paredes, (Argentina)			X		75%	Active
29. Case 14,770, Report No. 211/23, Alicia María Jardel (Argentina)		X			100%	Closed 2024
30. Case 14,781, Report No. 212/2023, Luis Carlos Abregu, (Argentina)		X			100%	Closed 2024
31. Case 14,714, Report No. 215/23, Francisco Naishtat, (Argentina)		X			100%	Closed 2024
32. Case 13,804, Report No. 216/23, Carlos Ballivian Jiménez, (Argentina)			X		25%	Active
33. Case 14,778, Report No. 217/23, Graciela Edit Abecasis, (Argentina)			X		75%	Active
34. Case 14,536, Report No. 219/23, Eduardo Molina Zequeira, (Argentina)			X		25%	Active
35. Case 13,020, Report No. 220/23, Carlos Fraticelli, (Argentina) <sup>40</sup>		X			100%	Closed
36. Petition 268-10, Report No. 266/23, Maria del Carmen Senem de Buzzi, (Argentina)			X		75%	Active

<sup>40</sup> See IACHR, Report No. 220/23, Case 13.020. Friendly Settlement. Carlos Andrés Fraticelli. Argentina. October 22, 2023.

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
37. Case 14,769, Report No. 267/23, Claudia and Ana María Kleinman, (Argentina)				X	0%	Active
38. Case 14,771, Report No. 268/23, Lilia Etcheverry and family, (Argentina)			X		33%	Active
39. Case 13,581, Report No. 269/23, José Luis D'Andrea Mohr, (Argentina)			X		50%	Active
40. Case 14,835, Report No. 27/24, Lilia Ana Villagra, (Argentina)			X		25%	Active
41. Case 14,836, Report No. 28/24, Lydia Cristina Vieyra, (Argentina)			X		25%	Active
42. Case 14,940, Report No. 29/24, Horacio Ricardo Neuman, (Argentina)			X		25%	Active
43. Case 14,739, Report No. 30/24, Mary Beatriz Guerra Peña, (Argentina)			X		25%	Active
44. Case 13,696, Report No. 31/24, Octavio Romero y Gabriel Gersbach, (Argentina)			X		33%	Active
45. Case 12,475, Report No. 97/05,	N/A	X			100%	Closed



CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
Alfredo Díaz Bustos (Bolivia) <sup>41</sup>						
46. Case 12.516, Report No. 98/05, Raúl Zavala Málaga and Jorge Pacheco Rondón (Bolivia) <sup>42</sup>		X			100%	Closed
47. Petition 269-05, Report No. 82/07, Miguel Angel Moncada Osorio and James David Rocha Terraza (Bolivia) <sup>43</sup>		X			100%	Closed
48. Petition 788-06, Report No. 70/07, Víctor Hugo Arce Chávez (Bolivia) <sup>44</sup>		X			100%	Closed
49. Case 12.350, Report No. 103/14, M.Z. (Bolivia) <sup>45</sup>		X			100%	Closed
50. Case 11,426, Report No. 270/23, Marcela Porco (Bolivia) <sup>46</sup>	N/A	X			100%	Closed
51. Case 11.289, Report No. 95/03, José Pereira (Brazil)	<a href="#">Link to monitoring sheets on matters related to reports of friendly settlement agreements of Brazil that are subject to monitoring</a>		X		83%	Active
52. Cases 12.426 and 12.427, Report No. 43/06, Raniê Silva Cruz, Eduardo Rocha da Silva and Raimundo Nonato Conceição Filho (Brazil) <sup>47</sup>		X			100%	Closed

<sup>41</sup> See IACHR, Annual Report 2018, Chapter II, Section G. "Status of Compliance with the Recommendations Issued by the IACHR in Merits Reports and Friendly Settlement Agreements Approved by the IACHR."

<sup>42</sup> See IACHR, Annual Report 2009, Chapter III, Section D: Status of Compliance with IACHR Recommendations, paras. 109-114.

<sup>43</sup> See IACHR, Annual Report 2009, Chapter III, Section D: Status of Compliance with IACHR Recommendations, paras. 115-119.

<sup>44</sup> See IACHR, Annual Report 2009, Chapter III, Section D: Status of Compliance with IACHR Recommendations, paras. 120-124.

<sup>45</sup> See IACHR, Friendly Settlement Report No. 103-14, Case 12.350, (M.Z. Bolivia), dated November 7, 2014. See IACHR, Annual Report 2015, Chapter II, Section D: Status of Compliance with IACHR Recommendations, paras. 290.

<sup>46</sup> See IACHR, Report No. 270/23, Case 11.426. Friendly Settlement. [Marcela Alejandra Porco. Bolivia. November 30, 2023].

<sup>47</sup> See IACHR, Annual Report 2008, Chapter III, Section D: Status of Compliance with IACHR Recommendations, paras. 162-175.

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
53. Case 12.674, Report No. 111/20, Marcio Lapoente Da Silveira (Brazil)			X		87%	Active
54. Case 12.277, Report No. 136/21, Fazenda Ubá (Brazil)			X		44%	Active
55. Case 12,673, Report No. 114/23, Jose Dutra Da Costa (Brazil)			X		50%	Active
56. Case 11.715, Report No. 32/02, Juan Manuel Contreras San Martín et al. (Chile) <sup>48</sup>	<a href="#">Link to monitoring sheets on matters related to reports of friendly settlement agreements of Chile that are subject to monitoring</a>	X			100%	Closed
57. Case 12.046, Report No. 33/02, Mónica Carabantes Galleguillos (Chile) <sup>49</sup>		X			100%	Closed
58. Petition 4617/02, Report No. 30/04, Mercedes Julia Huenteao Beroiza et al. (Chile)			X		92%	Closed 2024
59. Case 12.337, Report No. 80/09, Marcela Andrea Valdés Díaz (Chile) <sup>50</sup>		X			100%	Closed
60. Petition 490-03, Report No. 81/09 "X" (Chile) <sup>51</sup>		X			100%	Closed
61. Case 12.281, Report No. 162/10, Gilda Rosario Pizarro et al. (Chile) <sup>52</sup>		X			100%	Closed

<sup>48</sup> See IACHR, Annual Report 2007, Chapter III, Section D: Status of Compliance with IACHR Recommendations, paras. 187-190.

<sup>49</sup> See IACHR, Annual Report 2007, Chapter III, Section D: Status of Compliance with IACHR Recommendations, paras. 191-194.

<sup>50</sup> See IACHR, Annual Report 2010, Chapter III, Section D: Status of Compliance with IACHR Recommendations, paras. 298-302.

<sup>51</sup> See IACHR, Annual Report 2010, Chapter II, Section D: Status of Compliance with IACHR Recommendations, paras. 303-306.

<sup>52</sup> See IACHR, Annual Report 2011, Chapter II, Section D: Status of Compliance with IACHR Recommendations, paras. 337-345.

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
62. Case 12.195, Report No. 163/10, Mario Alberto Jara Oñate (Chile) <sup>53</sup>	<a href="#">Link to monitoring sheets on matters related to reports of</a>	X			100%	Closed
63. Case 12.232, Report No. 86/11, María Soledad Cisternas (Chile) <sup>54</sup>		X			100%	Closed
64. Petition 687-11, Report No. 138/19, Gabriela Blas Blas and her daughter C.B.B. (Chile) <sup>55</sup>		X			100%	Closed
65. Case 12.190; Report No. 37/19, Jose Luis Tapia, and Other Members of the Carabineros (Chile) <sup>56</sup>		X			100%	Closed
66. Case 12.233, Report No. 137/19, Víctor Amestica Moreno and Others (Chile) <sup>57</sup>		X			100%	Closed
67. Petition 1275-04 A, Report No. 23/20, Juan Luis Rivera Matus (Chile) <sup>58</sup>		X			100%	Closed
68. Case 11.141, Report No. 105/05, Massacre of Villatina (Colombia) <sup>59</sup>		X			100%	Closed

<sup>53</sup> See IACHR, Annual Report 2011, Chapter II, Section D: Status of Compliance with IACHR Recommendations, paras. 346-354.

<sup>54</sup> See IACHR, Annual Report 2012, Chap II, Section D: Status of Compliance with IACHR Recommendations, paras. 408-412.

<sup>55</sup> See IACHR, [Annual Report 2023, Chapter II, Section C, Advances and challenges on negotiation and implementation of friendly settlement agreements](#).

<sup>56</sup> See IACHR, IACHR, Report No. 37/19, Case 12.190. Friendly Settlement. José Luis Tapia and Other Members of the Carabineros. Chile. April 16, 2019.

<sup>57</sup> See [IACHR, Annual Report 2019, Chapter II, Section G, Friendly Settlements](#).

<sup>58</sup> See IACHR, Annual Report 2020. Chapter II. Section F. Negotiation and Implementation of Friendly Settlement Agreements. Available on: <https://www.oas.org/en/iachr/docs/annual/2020/Chapters/IA2020cap2-en.pdf>.

<sup>59</sup> See IACHR, Annual Report 2020. Chapter II. Section F. Negotiation and Implementation of Friendly Settlement Agreements. Available on: <https://www.oas.org/en/iachr/docs/annual/2020/Chapters/IA2020cap2-en.pdf>.

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
69. Case 10.205, Report No. 53/06, Germán Enrique Guerra Achuri (Colombia) <sup>60</sup>	<a href="#">friendly settlement agreements of Colombia that are subject to monitoring</a>	X			100%	Closed
70. Petition 477-05, Report No. 82/08 X and relatives (Colombia) <sup>61</sup>		X			100%	Closed
71. Petition 401-05, Report No. 83/08 Jorge Antonio Barbosa Tarazona <i>et al.</i> (Colombia) <sup>62</sup>		X			100%	Closed
72. Case 12.376, Report No. 59/14, Alba Lucía, Rodríguez (Colombia)			X		57%	Active
73. Case 12.756, Report No. 10/15, Massacre El Aracatazzo Bar (Colombia) <sup>63</sup>		X			100%	Closed
74. Petition 108-00, Report No. 38/15, Massacre of Segovia (28 family groups) (Colombia) <sup>64</sup>		X			100%	Closed
75. Petition 577-06, Report No. 82/15, Gloria González, and family (Colombia)			X		83%	Active
76. Case 11.538, Report No. 43/16, Herson		X			100%	Closed

<sup>60</sup> See IACHR, Annual Report 2010, Chapter III, Section D: Status of Compliance with IACHR Recommendations, paras. 329-333.

<sup>61</sup> See IACHR, Annual Report 2010, Chapter III, Section D: Status of Compliance with IACHR Recommendations, paras. 339-344.

<sup>62</sup> See IACHR, [Annual Report 2023, Chapter II, Section C. Advances and challenges on negotiation and implementation of friendly settlement agreements](#).

<sup>63</sup> See IACHR, *Annual Report 2022*, Chapter II, Section C. Advances and regressions on negotiation and Implementation of Friendly Settlement Agreements. Available in: [https://www.oas.org/en/iachr/docs/annual/2022/Chapters/4-IA2022\\_Cap\\_2\\_EN.pdf](https://www.oas.org/en/iachr/docs/annual/2022/Chapters/4-IA2022_Cap_2_EN.pdf).

<sup>64</sup> See IACHR, [Annual Report 2023, Chapter II, Section C. Advances and challenges on negotiation and implementation of friendly settlement agreements](#).

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
Javier Caro (Colombia) <sup>65</sup>						
77. Case 12.541, Report No. 67/16, Omar Zuñiga Vásquez and Amira Isabel Vásquez de Zuñiga (Colombia)			X		33%	Active
78. Case 11.007, Report No. 68/16, Massacre of Trujillo (Colombia)			X		62%	Active
79. Case 12.712, Report No. 135/17, Rubén Darío Arroyave (Colombia) <sup>66</sup>		X			100%	Closed
80. Case 12.714, Report No. 136/17, Belen Altavista Massacre (Colombia)			X		80%	Active
81. Case 12.941, Report No. 92/18, Nicolasa, and Family (Colombia)			X		43%	Active
82. Petition 799-06, Report No. 93/18, Isidoro León Ramírez, et al. (Colombia)		X			100%	Closed 2024
83. Case 11.990 A, Report No. 34/19, Oscar Orlando Bueno Bonnet et al. (Colombia)			X		44%	Active

<sup>65</sup> See IACHR, *Annual Report 2022*, Chapter II, Section C. Advances and regressions on negotiation and Implementation of Friendly Settlement Agreements. Available in: [https://www.oas.org/en/iachr/docs/annual/2022/Chapters/4-IA2022\\_Cap\\_2\\_EN.pdf](https://www.oas.org/en/iachr/docs/annual/2022/Chapters/4-IA2022_Cap_2_EN.pdf).

<sup>66</sup> See IACHR, *Annual Report 2023*, Chapter II, Section C. Advances and challenges on negotiation and implementation of friendly settlement agreements.

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
84. Case 11.144, Report No. 109/19, Gerson Jairzinho González Arroyo (Colombia)			X		66%	Active
85. Case 13.776, Report No. 1/20, German Eduardo Giraldo, and family (Colombia)			X		67%	Active
86. Case 13.728, Report No. 21/20, Amira Guzmán Alonso (Colombia) <sup>67</sup>		X			100%	Closed
87. Case 12.909, Report No. 22/20, Gerardo Bedoya Borrero (Colombia)			X		90%	Active
88. Case 13.370, Report No. 8/20, Luis Horacio Patiño and family (Colombia)		X			100%	Closed 2024
89. Petition 595-09, Report No. 84/20, Jorge Alberto Montes Gallego, and family (Colombia) <sup>68</sup>		X			100%	Closed
90. Case 13.319, Report No. 213/20, William Fernández Becerra, and family (Colombia)			X		27%	Active

<sup>67</sup> See IACHR, *Annual Report 2022*, Chapter II, Section C. Advances and regressions on negotiation and Implementation of Friendly Settlement Agreements. Available in: [https://www.oas.org/en/iachr/docs/annual/2022/Chapters/4-IA2022\\_Cap\\_2\\_EN.pdf](https://www.oas.org/en/iachr/docs/annual/2022/Chapters/4-IA2022_Cap_2_EN.pdf).

<sup>68</sup> See IACHR, *Annual Report 2023*, Chapter II, Section C. Advances and challenges on negotiation and implementation of friendly settlement agreements.



CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
91. Case 13.421, Report No. 333/20, Geminiano Gil Martinez and family (Colombia) <sup>69</sup>		X			100%	Closed
92. Case 13.642, Report No. 41/21, Edgar José Sánchez Duarte, and Family		X			100%	Closed 2024
93. Case 13.171, Report No. 115/21, Luis Argemiro Gómez Atehortua (Colombia)			X		80%	Active
94. Case 13.571, Report 336/21, Carlos Mario Muñoz Gómez, (Colombia)			X		75%	Active
95. Case 13.758, Report 337/21, Franklin Bustamante Restrepo (Colombia)		X			100%	Closed 2024
96. Case 14.291, Report No. 58/22, Captain N (Colombia)			X		50%	Active
97. Petition 53-17, Report No. 59/22, Luis Gerardo Bermudez (Colombia)			X		75%	Active
98. Petition 51-4-11, Report No. 60/22, Luis Hernando Morera Garzón (Colombia)			X		60%	Active

<sup>69</sup> See IACHR, [Annual Report 2023, Chapter II, Section C, Advances and challenges on negotiation and implementation of friendly settlement agreements](#).

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
99. Case 13.775, Report No. 63/22, Gabriel Angel Gómez Martínez and Family (Colombia)		X			100%	Closed 2024
100. Case 13.654, Informe No. 64/22, Juan Simón Cantillo Raigoza and Family (Colombia)			X		50%	Active
101. Case 14.306, Report No. 65/22, José Ramón Ochoa Salazar, and Family (Colombia)			X		60%	Active
102. Case 13.964, Report No. 66/22, Darío Gómez Cartagena, and Family (Colombia)			X		67%	Active
103. Case 13.436, Report No. 67/22, José Oleaguer Correa Castrillón (Colombia)		X			100%	Closed 2024
104. Case 13.125, Report No. 68/22, Ricardo Antonio Elías and Family (Colombia)			X		67%	Active
105. Petition 13 91-15, Report No. 94/22, Mario Antonio Cardona et al. (Colombia)			X		67%	Active
106. Petition 16 17-12, Report No. 169/22, Domingo José Rivas Coronado (Colombia)			X		86%	Active

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
107. Case 14.312, Report No. 170/22, Juan Carlos De La Calle Jiménez y Javier De La Calle Jiménez (Colombia)			X		75%	Active
108. Case 14.093, Report No. 285/22, Ernesto Ramírez Berrios			X		83%	Active
109. Case 13.226, Report No. 286/22, Dora Inés Meneses Gómez et al. (Colombia)			X		20%	Active
110. Case 13,710, Report No. 109/23, Julián Alberto Toro Ortiz and family, (Colombia)			X		33%	Active
111. Case 14,577, Report No. 110/23, Teobaldo Enrique Martínez Fuentes and family, (Colombia)			X		75%	Active
112. Case 13,840, Report No. 111/23, Edwin Hernán Ciro and family, (Colombia)			X		33%	Active
113. Case 14,070, Report No. 112/23, José Omar Torres Barbosa, (Colombia)			X		17%	Active
114. Petition 1478-12, Report No. 113/23, José Manuel Bello Nieves, (Colombia)			X		50%	Active

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
115. Case 13,232, Report No. 115/23, Omar Ernesto Vázquez Agudelo, (Colombia)			X		75%	Active
116. Case 14,719, Report No. 116/23, Geovanni Aguirre Soto, (Colombia)			X		33%	Active
117. Case 12,908, Report No. 208/23, Jorge Freytter Romero, (Colombia)			X		30%	Active
118. Case 13,780, Report No. 209/23, Hugo Ferney León Londoño, (Colombia)			X		50%	Active
119. Case 14,145, Report No. 210/23, Eleazar Vargas Ardila and Relatives, (Colombia)			X		33%	Active
120. Case 12,490, Report No. 218/23, Asmeth Yamith Salazar, (Colombia)			X		80%	Active
121. Case 14,003, Report No. 221/23, Maria Regina Ocampo, (Colombia)			X		50%	Active
122. Case 13,971, Report No. 271/23, Merardo Ivan Vahos Arcila and Familia, (Colombia)			X		50%	Active

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
123. Case 14,808, Report No. 272/23, Diego Felipe Becerra Lizarazo and Family, (Colombia)			X		50%	Active
124. Case 14,906, Report No. 273/23, Eladia Mendez Bautista, (Colombia)			X		50%	Active
125. Case 14,887, Report No. 274/23, Blanca Ruth Sanchez de Franco y Familia, (Colombia)			X		50%	Active
126. Case 13.711, Report No. 32/24, Levis Elcener Centeno Cuero, and family, (Colombia)			X		20%	Active
127. Case 12.843, Report No. 33/24, Luis y Leonardo Caisales Dogenesama, (Colombia)			X		14%	Active
128. Case 13.892, Report No. 159/24, Denys Del Carmen Olivera De Montes and family, (Colombia)			X		20%	Active

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
129. Case 13.602, Report No. 160/24, Nelson Enrique Giraldo Ramírez and family, (Colombia)			X		25%	Active
130. Case 13.974, Report No. 161/24, Claudia Baracaldo Bejarano et al., (Colombia)			X		10%	Active
131. Case 12.842, Report No. 163/24, Brainer Alexander Oquendo Santana, and family, (Colombia)			X		25%	Active
132. Case 14.802, Report No. 164/24, José Alirio Cañas Morales and family, (Colombia)			X		25%	Active
133. Case 12.942, Report No. 71/19, Emilia Morales Campos (Costa Rica) <sup>70</sup>	N/A	X			100%	Closed

<sup>70</sup> See IACHR, IACHR, Report No. 71/19, Case 12.942 Friendly Settlement. Emilia Morales Campos. Costa Rica May 15, 2019.



CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
134. Case 11.421, Report No. 93/00, Edison Patricio Quishpe Alcivar (Ecuador) <sup>71</sup>	<a href="#">Link to monitoring sheets on matters related to reports of friendly settlement agreements of Ecuador that are subject to monitoring</a>		X		67%	Closed
135. Case 11.439, Report No. 94/00, Byron Roberto Cañaveral (Ecuador) <sup>72</sup>			X		67%	Closed
136. Case 11.445, Report No. 95/00, Angelo Javier Ruales Paredes (Ecuador) <sup>73</sup>		X			100%	Closed
137. Case 11.466, Report No. 96/00, Manuel Inocencio Lalvay Guzman (Ecuador) <sup>74</sup>			X		75%	Closed
138. Case 11.584, Report No. 97/00, Carlos Juella Molina (Ecuador) <sup>75</sup>			X		67%	Closed
139. Case 11.783, Report No. 98/00, Marcia Irene Clavijo Tapia, (Ecuador) <sup>76</sup>			X		67%	Closed

<sup>71</sup> See IACHR, Annual Report 2020, Chapter II, Section F. Friendly Settlements. Pursuant to Articles 42 and 48 of its Rules of Procedure, the Commission decided, at the request of the petitioning party, to end monitoring of compliance with the friendly settlement agreement and close the matter. The IACHR considers that the State failed to comply with the justice measure embodied in the friendly settlement agreement.

<sup>72</sup> See IACHR, Annual Report 2020, Chapter II, Section F. Friendly Settlements. Pursuant to Articles 42 and 48 of its Rules of Procedure, the Commission decided, at the request of the petitioning party, to end monitoring of compliance with the friendly settlement agreement and close the matter. The IACHR considers that the State failed to comply with the justice measure embodied in the friendly settlement agreement.

<sup>73</sup> See IACHR, Annual Report 2008, Chapter III, Section D: Status of Compliance with IACHR Recommendations, paras. 283-286.

<sup>74</sup> See IACHR, Annual Report 2020, Chapter II, Section F. Friendly Settlements. Pursuant to Articles 42 and 48 of its Rules of Procedure, the Commission decided, at the request of the petitioning party, to end monitoring of compliance with the friendly settlement agreement and close the matter. The IACHR considers that the State failed to comply with the justice measure embodied in the friendly settlement agreement.

<sup>75</sup> See IACHR, Annual Report 2020, Chapter II, Section F. Friendly Settlements. Pursuant to Articles 42 and 48 of its Rules of Procedure, the Commission decided, at the request of the petitioning party, to end monitoring of compliance with the friendly settlement agreement and close the matter. The IACHR considers that the State failed to comply with the justice measure embodied in the friendly settlement agreement.

<sup>76</sup> See [IACHR, 2019 Annual Report, Chapter II, Section G. Friendly Settlements](#). Pursuant to Articles 42 and 48 of its Rules of Procedure, the Commission decided, at the request of the petitioning party, to end monitoring of compliance with the friendly settlement

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
140. Case 11.868, Report No. 99/00, Carlos Santiago, and Pedro Andrés Restrepo Arismendy (Ecuador) <sup>77</sup>			X		67%	Closed
141. Case 11.991, Report No. 100/00, Kelvin Vicente Torres Cueva (Ecuador) <sup>78</sup>			X		67%	Closed
142. Case 11.478, Report No. 19/01, Juan Climaco Cuellar et al. (Ecuador)			X		50%	Active
143. Case 11.512, Report No. 20/01, Lida Angela Riera Rodríguez			X		50%	Closed
144. Case 11.605, Report No. 21/01, René Gonzalo Cruz Pazmiño (Ecuador) <sup>80</sup>			X		50%	Closed

agreement and close the matter. The IACHR considers that the State failed to comply with the justice measure embodied in the friendly settlement agreement.

<sup>77</sup> See IACHR, Annual Report 2020, Chapter II, Section F, Negotiation and Implementation of Friendly Settlement Agreements. Available on: <https://www.oas.org/en/iachr/docs/annual/2020/Chapters/IA2020cap2-en.pdf> Pursuant to Articles 42 and 48 of its Rules of Procedure, the Commission decided, at the request of the petitioning party, to end monitoring of compliance with the friendly settlement agreement and close the matter. The IACHR considers that the State failed to comply with the justice measure embodied in the friendly settlement agreement.

<sup>78</sup> See IACHR, Annual Report 2020, Chapter II, Section F, Friendly Settlements. Pursuant to Articles 42 and 48 of its Rules of Procedure, the Commission decided, at the request of the petitioning party, to end monitoring of compliance with the friendly settlement agreement and close the matter. The IACHR considers that the State failed to comply with the justice measure embodied in the friendly settlement agreement.

<sup>79</sup> See IACHR, Annual Report 2018, Chapter II, Section G, "Status of Compliance with the Recommendations Issued by the IACHR in Merits Reports and Friendly Settlement Agreements Approved by the IACHR." At the request of the petitioner, the Commission decided, in accordance with Articles 42 and 48 of its Rules of Procedure, to conclude its monitoring of compliance with the friendly settlement agreement and to close the matter. The IACHR considers that the State did not comply with the justice measure set forth in the friendly settlement agreement.

<sup>80</sup> See IACHR, Annual Report 2020, Chapter II, Section F, Friendly Settlements. Pursuant to Articles 42 and 48 of its Rules of Procedure, the Commission decided, at the request of the petitioning party, to end monitoring of compliance with the friendly settlement agreement and close the matter. The IACHR considers that the State failed to comply with the justice measure embodied in the friendly settlement agreement.

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
145. Case 11.779, Report No. 22/01, José Patricio Reascos (Ecuador) <sup>81</sup>			X		50%	Closed
146. Case 11.441, Report No. 104/01, Rodrigo Elicio Muñoz Arcos et al. (Ecuador) <sup>82</sup>			X		50%	Closed
147. Case 11.443, Report No. 105/01, Washington Ayora Rodríguez (Ecuador) <sup>83</sup>			X		50%	Closed
148. Case 11.450, Report No. 106/01, Marco Vinicio Almeida Calispa (Ecuador) <sup>84</sup>			X		50%	Closed
149. Case 11.542, Report No. 107/01, Angel Reiniero Vega Jiménez (Ecuador) <sup>85</sup>			X		50%	Closed

<sup>81</sup> See IACHR, Annual Report 2018, Chapter II, Section G. “Status of Compliance with the Recommendations Issued by the IACHR in Merits Reports and Friendly Settlement Agreements Approved by the IACHR.” At the request of the petitioner, the Commission decided, in accordance with Articles 42 and 48 of its Rules of Procedure, to conclude its monitoring of compliance with the friendly settlement agreement and to close the matter. The IACHR considers that the State did not comply with the justice measure set forth in the friendly settlement agreement.

<sup>82</sup> See [IACHR, 2019 Annual Report, Chapter II, Section G. Friendly Settlements](#). Pursuant to Articles 42 and 48 of its Rules of Procedure, the Commission decided, at the request of the petitioning party, to end monitoring of compliance with the friendly settlement agreement and close the matter. The IACHR considers that the State failed to comply with the justice measure embodied in the friendly settlement agreement.

<sup>83</sup> See IACHR, Annual Report 2020, Chapter II, Section F. Friendly Settlements. Pursuant to Articles 42 and 48 of its Rules of Procedure, the Commission decided, at the request of the petitioning party, to end monitoring of compliance with the friendly settlement agreement and close the matter. The IACHR considers that the State failed to comply with the justice measure embodied in the friendly settlement agreement.

<sup>84</sup> See IACHR, Annual Report 2020, Chapter II, Section F. Friendly Settlements. Pursuant to Articles 42 and 48 of its Rules of Procedure, the Commission decided, at the request of the petitioning party, to end monitoring of compliance with the friendly settlement agreement and close the matter. The IACHR considers that the State failed to comply with the justice measure embodied in the friendly settlement agreement.

<sup>85</sup> See IACHR, Annual Report 2020, Chapter II, Section F. Friendly Settlements. Pursuant to Articles 42 and 48 of its Rules of Procedure, the Commission decided, at the request of the petitioning party, to end monitoring of compliance with the friendly settlement agreement and close the matter. The IACHR considers that the State failed to comply with the justice measure embodied in the friendly settlement agreement.

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
150. Case 11.574, Report No. 108/01, Wilberto Samuel Manzano (Ecuador) <sup>86</sup>			X		50%	Closed
151. Case 11.632, Report No. 109/01, Vidal Segura Hurtado (Ecuador) <sup>87</sup>			X		50%	Closed
152. Case 12.007, Report No. 110/01, Pompeyo Carlos Andrade Benítez (Ecuador) <sup>88</sup>			X		50%	Closed
153. Case 11.515, Report No. 63/03, Bolívar Franco Camacho Arboleda			X		50%	Closed
154. Case 12.188, Report No. 64/03, Joffre José Valencia Mero, Priscila Fierro, Zoreida Valencia Sánchez, Rocío Valencia Sánchez (Ecuador) <sup>90</sup>			X		50%	Closed

<sup>86</sup> See IACHR, Annual Report 2020, Chapter II, Section F. Friendly Settlements. Pursuant to Articles 42 and 48 of its Rules of Procedure, the Commission decided, at the request of the petitioning party, to end monitoring of compliance with the friendly settlement agreement and close the matter. The IACHR considers that the State failed to comply with the justice measure embodied in the friendly settlement agreement.

<sup>87</sup> See IACHR, Annual Report 2020, Chapter II, Section F. Friendly Settlements. Pursuant to Articles 42 and 48 of its Rules of Procedure, the Commission decided, at the request of the petitioning party, to end monitoring of compliance with the friendly settlement agreement and close the matter. The IACHR considers that the State failed to comply with the justice measure embodied in the friendly settlement agreement.

<sup>88</sup> See IACHR, Annual Report 2021, Chapter II, Section F. Negotiation, and implementation of friendly settlement agreements. Pursuant to Articles 42 and 48 of its Rules of Procedure, the Commission decided, at the request of the petitioning party, to end monitoring of compliance with the friendly settlement agreement and close the matter. The IACHR considers that the State failed to comply with the justice measure embodied in the friendly settlement agreement. Available in: <http://www.oas.org/en/iachr/docs/annual/2021/Chapters/IA2021cap2-en.pdf>.

<sup>89</sup> See IACHR, Annual Report 2018, Chapter II, Section G. "Status of Compliance with the Recommendations Issued by the IACHR in Merits Reports and Friendly Settlement Agreements Approved by the IACHR." At the request of the petitioner, the Commission decided, in accordance with Articles 42 and 48 of its Rules of Procedure, to conclude its monitoring of compliance with the friendly settlement agreement and to close the matter. The IACHR considers that the State did not comply with the justice measure set forth in the friendly settlement agreement.

<sup>90</sup> See IACHR, Annual Report 2018, Chapter II, Section G. "Status of Compliance with the Recommendations Issued by the IACHR in Merits Reports and Friendly Settlement Agreements Approved by the IACHR." At the request of the petitioner, the Commission decided, in accordance with Articles 42 and 48 of its Rules of Procedure, to conclude its monitoring of compliance with the friendly settlement agreement and to close the matter. The IACHR considers that the State did not comply with the justice measure set forth in the friendly settlement agreement.

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
155. Case 12.394, Report No. 65/03, Joaquín Hernández Alvarado, Marlon Loor Argote and Hugo Lara Pinos (Ecuador) <sup>91</sup>			X		50%	Closed
156. Case 12.205, Report No. 44/06, José René Castro Galarza (Ecuador)			X		50%	Closed 2024
157. Case 12.207, Report No. 45/06, Lizandro Ramiro Montero Masache (Ecuador) <sup>92</sup>			X		50%	Closed
158. Case 12.238, Report No. 46/06, Myriam Larrea Pintado (Ecuador) <sup>93</sup>			X		60%	Closed
159. Case 12.558, Report No. 47/06, Fausto Mendoza Giler and Diogenes Mendoza Bravo (Ecuador) <sup>94</sup>			X		50%	Closed

<sup>91</sup> See IACHR. Annual Report 2020. Chapter II. Section F. Negotiation and Implementation of Friendly Settlement Agreements. Available on: <https://www.oas.org/en/iachr/docs/annual/2020/Chapters/IA2020cap2-en.pdf>. Pursuant to Articles 42 and 48 of its Rules of Procedure, the Commission decided, at the request of the petitioning party, to end monitoring of compliance with the friendly settlement agreement and close the matter. The IACHR considers that the State failed to comply with the justice measure embodied in the friendly settlement agreement.

<sup>92</sup> See IACHR, Annual Report 2018, Chapter II, Section G. "Status of Compliance with the Recommendations Issued by the IACHR in Merits Reports and Friendly Settlement Agreements Approved by the IACHR." At the request of the petitioner, the Commission decided, in accordance with Articles 42 and 48 of its Rules of Procedure, to conclude its monitoring of compliance with the friendly settlement agreement and to close the matter. The IACHR considers that the State did not comply with the justice measure set forth in the friendly settlement agreement.

<sup>93</sup> See IACHR. Annual Report 2020. Chapter II. Section F. Negotiation and Implementation of Friendly Settlement Agreements. Available on: <https://www.oas.org/en/iachr/docs/annual/2020/Chapters/IA2020cap2-en.pdf>. Pursuant to Articles 42 and 48 of its Rules of Procedure, the Commission decided, at the request of the petitioning party, to end monitoring of compliance with the friendly settlement agreement and close the matter. The IACHR considers that the State failed to comply with the justice measure embodied in the friendly settlement agreement.

<sup>94</sup> See IACHR, Annual Report 2020, Chapter II, Section F. Friendly Settlements. Pursuant to Articles 42 and 48 of its Rules of Procedure, the Commission decided, at the request of the petitioning party, to end monitoring of compliance with the friendly settlement

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
160. Petition 533-05, Report No. 122/12, Julio Rubén Robles Eras (Ecuador) <sup>95</sup>			X		67%	Closed
161. Case 12.631, Report No. 61/13, Karina Montenegro et al. (Ecuador)			X		88%	Active
162. Case 12.957, Report No. 167/18, Luis Bolívar Hernández Peñaherrera (Ecuador) <sup>96</sup>		X			100%	Closed
163. Case 11.626 A, Report No. 81/20, Fredy Oreste Cañola Valencia (Ecuador) <sup>97</sup>			X		67%	Closed
164. Case 11.626 B, Report No. 82/20, Luis Enrique Cañola Valencia (Ecuador) <sup>98</sup>			X		67%	Closed
165. Case 11.626 C, Report No. 83/20, Santo Enrique Cañola			X		67%	Closed

agreement and close the matter. The IACHR considers that the State failed to comply with the justice measure embodied in the friendly settlement agreement.

<sup>95</sup> See IACHR, Annual Report 2020, Chapter II, Section F. Friendly Settlements. Pursuant to Articles 42 and 48 of its Rules of Procedure, the Commission decided, at the request of the petitioning party, to end monitoring of compliance with the friendly settlement agreement and close the matter. The IACHR considers that the State failed to comply with the justice measure embodied in the friendly settlement agreement.

<sup>96</sup> See IACHR, Annual Report 2021, Chapter II, Section F. Negotiation, and implementation of friendly settlement agreements. Available in: <http://www.oas.org/en/iachr/docs/annual/2021/Chapters/IA2021cap2-en.pdf>.

<sup>97</sup> See IACHR, Annual Report 2020, Chapter II, Section F. Friendly Settlements. Pursuant to Articles 42 and 48 of its Rules of Procedure, the Commission decided, at the request of the petitioning party, to end monitoring of compliance with the friendly settlement agreement and close the matter. The IACHR considers that the State failed to comply with the justice measure embodied in the friendly settlement agreement.

<sup>98</sup> See IACHR, Annual Report 2020, Chapter II, Section F. Friendly Settlements. Pursuant to Articles 42 and 48 of its Rules of Procedure, the Commission decided, at the request of the petitioning party, to end monitoring of compliance with the friendly settlement agreement and close the matter. The IACHR considers that the State failed to comply with the justice measure embodied in the friendly settlement agreement.



CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
González (Ecuador) <sup>99</sup>						
166. Case 11.312, Report No. 66/03, Emilio Tec Pop (Guatemala) <sup>100</sup>	<a href="#">Link to monitoring sheets on matters related to reports of friendly settlement agreements of Guatemala that are subject to monitoring</a>		X		67%	Closed
167. Case 11.766, Report No. 67/03, Irma Flaquer (Guatemala)			X		92%	Active
168. Case 11.197, Report No. 68/03, Community of San Vicente de los Cimientos (Guatemala)			X		71%	Active
169. Case 9.168, Report No. 29/04, Jorge Alberto Rosal Paz (Guatemala)			X		80%	Active
170. Petition 133-04, Report No. 99/05, José Miguel Mérida Escobar (Guatemala) <sup>101</sup>			X		89%	Closed
171. Case 11.422, Report No. 1/12, Mario Alioto López Sánchez (Guatemala) <sup>102</sup>		X			100%	Closed
172. Case 12,546, Report No. 30/12, Juan Jacobo Arbenz			X		88%	Closed

<sup>99</sup> See IACHR, Annual Report 2020, Chapter II, Section F. Friendly Settlements. Pursuant to Articles 42 and 48 of its Rules of Procedure, the Commission decided, at the request of the petitioning party, to end monitoring of compliance with the friendly settlement agreement and close the matter. The IACHR considers that the State failed to comply with the justice measure embodied in the friendly settlement agreement.

<sup>100</sup> See IACHR, [Annual Report 2023, Chapter II, Section C. Advances and challenges on negotiation and implementation of friendly settlement agreements](#).

<sup>101</sup> See IACHR, Annual Report 2021, Chapter II, Section F. Negotiation, and implementation of friendly settlement agreements. Pursuant to Articles 42 and 48 of its Rules of Procedure, the Commission decided to end monitoring of compliance with the friendly settlement agreement and close the matter. Available in: <http://www.oas.org/en/iachr/docs/annual/2021/Chapters/IA2021cap2-en.pdf>

<sup>102</sup> See IACHR, Annual Report 2022, Chapter II, Section C. Advances and regressions on negotiation and Implementation of Friendly Settlement Agreements. Available in: [https://www.oas.org/en/iachr/docs/annual/2022/Chapters/4-IA2022\\_Cap\\_2\\_EN.pdf](https://www.oas.org/en/iachr/docs/annual/2022/Chapters/4-IA2022_Cap_2_EN.pdf).

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
Guzmán (Guatemala) <sup>103</sup>						
173. Case 12.591, Report No. 123/12, Angelica Jeronimo Juárez (Guatemala) <sup>104</sup>		X			100%	Closed
174. Petition 279-03, Report No. 39/15. Fredy Rolando Hernández Rodríguez et al. (Guatemala) <sup>105</sup>		X			100%	Closed
175. Case 12.732, Report No. 86/20, Richard Conrad Solórzano Contreras (Guatemala)			X		50%	Closed 2024
176. Case 10.441 A, Report No. 214/20, Silvia María Azurdia Utrera and Others (Guatemala) <sup>106</sup>			X		80%	Closed
177. Case 10.441 B, Report No. 215/20, Carlos Humberto Cabrera Rivera (Guatemala) <sup>107</sup>			X		80%	Closed
178. Case 12.737, Report No. 114/21, Carlos Raúl Morales Catalan (Guatemala)			X		67%	Active

<sup>103</sup> See IACHR. Annual Report 2020. Chapter II. Section F. Negotiation and Implementation of Friendly Settlement Agreements. Available on: <https://www.oas.org/en/iachr/docs/annual/2020/Chapters/IA2020cap2-en.pdf>.

<sup>104</sup> See IACHR. Annual Report 2013, Chapter II, Section D: Status of Compliance with IACHR Recommendations, paras. 879-885.

<sup>105</sup> See IACHR. Annual Report 2020. Chapter II. Section F. Negotiation and Implementation of Friendly Settlement Agreements. Available on: <https://www.oas.org/en/iachr/docs/annual/2020/Chapters/IA2020cap2-en.pdf>.

<sup>106</sup> See IACHR, [Annual Report 2023, Chapter II, Section C, Advances and challenges on negotiation and implementation of friendly settlement agreements](#).

<sup>107</sup> See IACHR, [Annual Report 2023, Chapter II, Section C, Advances and challenges on negotiation and implementation of friendly settlement agreements](#).

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
179. Petition 1287-19, Report No. 61/22, Roberto Molina Barreto, Zury Mayte Ríos Sosa and MWR (Guatemala) <sup>108</sup>		X			100%	Closed
180. Case 11.805, Report No. 124/12, Carlos Enrique Jaco (Honduras) <sup>109</sup>	<a href="#">Link to monitoring sheets on matters related to reports of friendly settlement agreements (Honduras).</a>	X			100%	Closed
181. Case 12.547, Report No. 62/13, Rigoberto Cacho Reyes (Honduras) <sup>110</sup>		X			100%	Closed
182. Case 12.961 C, Report No. 101/19, Marcial Coello Medina, and Others (Honduras) <sup>111</sup>		X			100%	Closed
183. Case 12.961 D, Report No. 104/19, Jorge Enrique Valladares Argueñal and Others (Honduras) <sup>112</sup>		X			100%	Closed
184. Case 12.961 A, Report No. 105/19, Bolívar Salgado Welban and Others (Honduras) <sup>113</sup>		X			100%	Closed

<sup>108</sup> See IACHR, [Annual Report 2023, Chapter II, Section C. Advances and challenges on negotiation and implementation of friendly settlement agreements.](#)

<sup>109</sup> See IACHR, Friendly Settlement Report No. 124/12, Case 11.805 (Carlos Enrique Jaco), dated November 12, 2012.

<sup>110</sup> See IACHR, Annual Report 2014, Chapter II, Section D: Status of Compliance with IACHR Recommendations, paras. 956-960.

<sup>111</sup> See IACHR, Report No.101/19, Case 12.961 C. Friendly Settlement. Marcial Coello Medina and Others., Honduras. July 13, 2019.

<sup>112</sup> See IACHR, Report No.104/19, Case 12.961 D. Friendly Settlement. Jorge Enrique Valladares Argueñal and Others, Honduras. July 13, 2019.

<sup>113</sup> See IACHR, Report No. 105/19, Case 12.961 A. Friendly Settlement. Bolívar Salgado Welban and Others. Honduras. July 28, 2019.

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
185. Case 12.961 F, Report 20/20, Miguel Angel Chinchilla Erazo, and others (Honduras) <sup>114</sup>		X			100%	Closed
186. Case 12.891, Report No. 212/20, Adan Guillermo López Lone et al. (Honduras)			X		68%	Active
187. Case 12.972, Report No. 334/20, Marcelo Ramón Aguilera Aguilar (Honduras) <sup>115</sup>		X			100%	Closed
188. Case 11.562, Report No. 40/21, Dixie Miguel Urbina Rosales (Honduras)			X		67%	Active
189. Case 12.961E, Report No. 42/21, Ecar Fernando Zavala Valladares and Others (Honduras) <sup>116</sup>		X			100%	Closed
190. Case 11.545, Report No. 204/21, Martha María Saire (Honduras)			X		80%	Active
191. Case 12.961J, Report No. 205/21, Faustino García Cárdenas and Other (Honduras) <sup>117</sup>		X			100%	Closed

<sup>114</sup> See IACHR. Annual Report 2020. Chapter II. Section F. Negotiation and Implementation of Friendly Settlement Agreements. Available on: <https://www.oas.org/en/iachr/docs/annual/2020/Chapters/IA2020cap2-en.pdf>.

<sup>115</sup> See IACHR. Annual Report 2020. Chapter II. Section F. Negotiation and Implementation of Friendly Settlement Agreements. Available on: <https://www.oas.org/en/iachr/docs/annual/2020/Chapters/IA2020cap2-en.pdf>.

<sup>116</sup> See IACHR, Report No. 42/21, Case 12.961 E. Friendly Settlement. Ecar Fernando Zavala Valladares, Honduras. March 20, 2021.

<sup>117</sup> See IACHR, Report No. 205/21, Case 12.961 J. Friendly Settlement. Faustino García Cárdenas and other. Honduras. Honduras. September 4, 2021.

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
192. Case 12.960, Report No. 269/21, Ronald Jared Martínez (Honduras) <sup>118</sup>		X			100%	Closed
193. Case 12.960 H, Report No. 287/22, Juan González, and others. (Honduras) <sup>119</sup>		X			100%	Closed
194. Case 12.960 I, Report No. 288/22, Transito Edgardo Arriaga López and others. (Honduras) <sup>120</sup>		X			100%	Closed
195. Case 11.807, Report No. 69/03, José Guadarrama (Mexico) <sup>121</sup>	<a href="#">Link to monitoring sheets on matters related to reports of friendly settlement agreements of Mexico that are subject to monitoring</a>	X			100%	Closed
196. Petition 388-01, Report 101/05 Alejandro Ortiz Ramírez (Mexico) <sup>122</sup>		X			100%	Closed
197. Petition 161-02, Report No. 21/07, Paulina del Carmen Ramírez Jacinto (Mexico) <sup>123</sup>		X			100%	Closed
198. Case 11.822, Report No. 24/09, Reyes Penagos Martínez et al. (Mexico) <sup>124</sup>		X			100%	Closed

<sup>118</sup> See IACHR, Report No. 269/21, Case 12.960. Friendly Settlement. Ronald Jared Martínez et al. Honduras. October 5, 2021.

<sup>119</sup> See IACHR, Report No. 287/22, Case 12.961 H. Friendly Settlement. Juan Gonzalez and Others. Honduras, November 8, 2022.

<sup>120</sup> See IACHR, Report No. 288/22, Case 12.961 I. Friendly Settlement. Transito Edgardo Arriaga López and Others. Honduras, November 8, 2022.

<sup>121</sup> See IACHR, Annual Report 2007, Chapter III, Section D: Status of Compliance with IACHR Recommendations, paras. 552-560.

<sup>122</sup> See IACHR, Annual Report 2007, Chapter III, Section D: Status of Compliance with IACHR Recommendations, paras. 561-562.

<sup>123</sup> See IACHR, Annual Report 2012, Chapter III, Section D: Status of Compliance with IACHR Recommendations, paras. 833-844.

<sup>124</sup> See IACHR, *Annual Report 2022*, Chapter II, Section C. Advances and regressions on negotiation and Implementation of Friendly Settlement Agreements. Available in: [https://www.oas.org/en/iachr/docs/annual/2022/Chapters/4-IA2022\\_Cap\\_2\\_EN.pdf](https://www.oas.org/en/iachr/docs/annual/2022/Chapters/4-IA2022_Cap_2_EN.pdf).

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
199. Case 12.642, Report No. 90/10, José Iván Correa Arevalo (Mexico) <sup>125</sup>		X			100%	Closed
200. Case 12.660, Report No. 91/10, Ricardo Uacán Seca (Mexico) <sup>126</sup>		X			100%	Closed
201. Case 12.623, Report No. 164/10, Luis Rey García (Mexico) <sup>127</sup>		X			100%	Closed
202. Petition 318-05, Report No. 68/12, Geronimo Gomez Lopez (Mexico) <sup>128</sup>		X			100%	Closed
203. Case 12.769, Report No. 65/14, Irineo Martínez Torres and Other (Mexico) <sup>129</sup>		X			100%	Closed
204. Case 12.813, Report No. 81/15, Blanca Olivia Contreras Vital et al. (Mexico) <sup>130</sup>		X			100%	Closed
205. Petition 1171-09, Report No. 15/16, Ananias Laparra, and relatives (Mexico)			X		72%	Active
206. Case 12.847, Report No. 16/16, Vicenta Sanchez Valdivieso (Mexico) <sup>131</sup>		X			100%	Closed

<sup>125</sup> See [IACHR, Annual Report 2019, Chapter II, Section G, Friendly Settlements](#).

<sup>126</sup> See IACHR, Annual Report 2012, Chapter III, Section D: Status of Compliance with IACHR Recommendations, paras. 876-881.

<sup>127</sup> See IACHR, Annual Report 2011, Chapter III, Section D: Status of Compliance with IACHR Recommendations, paras. 982-987.

<sup>128</sup> See IACHR, Friendly Settlement Report No. 68/12, Petition 318-05, (Geronimo Gómez López vs. Mexico), dated July 17, 2012.

<sup>129</sup> See IACHR, Annual Report 2018, Chapter II, Section G. "Status of Compliance with the Recommendations Issued by the IACHR in Merits Reports and Friendly Settlement Agreements Approved by the IACHR."

<sup>130</sup> See [IACHR, Annual Report 2019, Chapter II, Section G, Friendly Settlements](#).

<sup>131</sup> See IACHR, Annual Report 2021, Chapter II, Section F. Negotiation, and implementation of friendly settlement agreements. Available in: <http://www.oas.org/en/iachr/docs/annual/2021/Chapters/IA2021cap2-en.pdf>.

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
207. Case 12.627, Report No. 92/17, Maria Nicolasa Garcia Reynoso (Mexico) <sup>132</sup>		X			100%	Closed
208. Petition 1014-06, Report No. 35/19, Antonio Jacinto Lopez (Mexico)			X		80%	Active
209. Case 13.408, Report No. 43/19, Alberto Patishtán Gómez (Mexico) <sup>133</sup>		X			100%	Closed
210. Case 12.986, Report No. 106/19, José Antonio Bolaños Juárez (Mexico) <sup>134</sup>		X			100%	Closed
211. Case 12.915, Report No. 2/20, Angel Díaz Cruz et al. (Mexico) <sup>135</sup>		X			100%	Closed
212. Petition 735-07, Report No. 110/20, Ismael Mondragon Molina (Mexico)		X			100%	Closed 2024
213. Case 11.824, Report No. 216/20, Sabino Diaz Osorio and Rodrigo Gomez Zamorano, (Mexico) <sup>136</sup>		X			100%	Closed

<sup>132</sup> See IACHR, Annual Report 2021, Chapter II, Section F. Negotiation, and implementation of friendly settlement agreements. Available in: <http://www.oas.org/en/iachr/docs/annual/2021/Chapters/IA2021cap2-en.pdf>.

<sup>133</sup> See IACHR, Report No. 106/19, Case 12.986. Friendly Settlement. José Antonio Bolaños Juárez. Mexico. July 28, 2019.

<sup>134</sup> See IACHR, Annual Report 2020. Chapter II. Section F. Negotiation and Implementation of Friendly Settlement Agreements. Available on: <https://www.oas.org/en/iachr/docs/annual/2020/Chapters/IA2020cap2-en.pdf>.

<sup>135</sup> See IACHR, Annual Report 2021, Chapter II, Section F. Negotiation, and implementation of friendly settlement agreements. Available in: <http://www.oas.org/en/iachr/docs/annual/2021/Chapters/IA2021cap2-en.pdf>.

<sup>136</sup> See IACHR, Annual Report 2020. Chapter II. Section F. Negotiation and Implementation of Friendly Settlement Agreements. Available on: <https://www.oas.org/en/iachr/docs/annual/2020/Chapters/IA2020cap2-en.pdf>.



CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
214. Case 12.610, Report No. 208/21, Faustino Jiménez Álvarez (Mexico)			X		88%	Active
215. Case 13.007, Report No. 171/22, José Alfredo Jiménez Mota, and Family. (Mexico)			X		71%	Active
216. Case 11,734, Report No. 213/23, Modesto Patolzin Moicen, (Mexico)			X		80%	Active
217. Case 11,733, Report No. 214/23, Víctor Pineda Henestrosa, (Mexico)			X		50%	Active
218. Case 14.073, Report No. 162/24, Zenon Alberto Medina López and family, (Mexico)			X		29%	Active
219. Case 12.848, Report No. 42/16, Mrs. N, (Panama) <sup>137</sup>	<a href="#">Link to monitoring sheets on matters related to reports of friendly settlement agreements (Panama)</a>				100%	Closed
220. Case 13.017 C, Report No. 91/19, Relatives of Victims of the Military Dictatorship in Panama, October 1968 to December 1989 (Panama)			X		25%	Active
221. Case 13.017 A, Report No. 102/19, Relatives of Victims of the Military Dictatorship in Panama, October			X		0%	Active

<sup>137</sup> See IACHR, Report No. 42/16, Case 12,848. Friendly Settlement. Mrs. N. Panama. September 25, 2016.

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
1968 to December 1989 (Panama)						
222. Case 12.358, Report No. 24/13, Octavio Rubén González Acosta (Paraguay)	<a href="#">Link to monitoring sheets on matters related to reports of friendly settlement agreements of Paraguay that are subject to monitoring</a>		X		86%	Closed 2024
223. Petition 1097-06, Report No. 25/13, Miriam Beatriz Riquelme Ramírez (Paraguay) <sup>138</sup>		X			100%	Closed
224. Case 12.699, Report No. 130/18, Pedro Antonio Centurion (Paraguay) <sup>139</sup>		X			100%	Closed
225. Case 12.374, Report No. 85/20, Jorge Enrique Patiño Palacios (Paraguay) <sup>140</sup>		X			100%	Closed
226. Petition 747-05, Report No. 256/20, Y'akâ Marangatú Indigenous community of the Mbya People (Paraguay)			X		50%	Active
227. Case 12.330, Report No. 206/21, Marcelino Gómez and Other (Paraguay)			X		94%	Active

<sup>138</sup> See IACHR, Annual Report 2014, Chapter II, Section D: Status of Compliance with IACHR Recommendations, paras. 1101-1105.

<sup>139</sup> See IACHR, [Annual Report 2023, Chapter II, Section C, Advances and challenges on negotiation and implementation of friendly settlement agreements](#).

<sup>140</sup> See IACHR, Annual Report 2021, Chapter II, Section F. Negotiation, and implementation of friendly settlement agreements. Available in: <http://www.oas.org/en/iachr/docs/annual/2021/Chapters/IA2021cap2-en.pdf>.

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
228. Case 12.035; Report No. 75/02(bis), Pablo Ignacio Livia Robles (Peru) <sup>141</sup>	<a href="#">Link to monitoring sheets on matters related to reports of friendly settlement agreement of Peru that are subject to monitoring</a>	X			100%	Closed
229. Case 11.149, Report No. 70/03 Augusto Alejandro Zuñiga Paz (Peru) <sup>142</sup>		X			100%	Closed
230. Case 12.191, Report No. 71/03, María Mamerita Mestanza (Peru)			X		75%	Active
231. Case 12.078, Report No. 31/04, Ricardo Semoza Di Carlo (Peru) <sup>143</sup>		X			100%	Closed
232. Petition 185-02, Report No. 107/05, Roger Herminio Salas Gamboa (Peru) <sup>144</sup>		X			100%	Closed
233. Case 12.033, Report No. 49/06, Romulo Torres Ventocilla (Peru) <sup>145</sup>		X			100%	Closed
234. Petition 711-01 et al., Report No. 50/06, Miguel Grimaldo Castañeda Sánchez et al.; Petition 33-03 et al., Report No. 109/06, Héctor Nuñez Julia et al. (Peru); Petition 732-01 et al., Report 20/07			X		75%	Closed

<sup>141</sup> See IACHR, Annual Report 2005, Chapter III, Section D: Status of Compliance with IACHR Recommendations, paras. 332-335.

<sup>142</sup> See IACHR, Annual Report 2005, Chapter III, Section D: Status of Compliance with IACHR Recommendations, paras. 336 and 337.

<sup>143</sup> See [IACHR, Annual Report 2019, Chapter II, Section G. Friendly Settlements](#).

<sup>144</sup> See IACHR, Annual Report 2013, Chapter III, Section D: Status of Compliance with IACHR Recommendations, paras. 1094 and 1107.

<sup>145</sup> See IACHR, Annual Report 2007, Chapter III, Section D: Status of Compliance with IACHR Recommendations, paras. 613-616.

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
Eulogio Miguel Melgarejo et al. (Peru); Petition 758-01, Report No. 71/07, Hernán Atilio Aguirre Moreno et al. (Peru) <sup>146</sup>						
235. Petition 494-04, Report No. 20/08, Romeo Edgardo Vargas Romero (Peru)		X			100%	Closed 2024
236. Petitions 71-06 et al., Report No. 22/11, Gloria José Yaquette Paredes et al. (Peru)			X		80%	Active
237. Case 12.041, Report No. 69/14, M.M. (Peru) <sup>147</sup>		X			100%	Closed
238. Petition 288-08, Report No. 6916, Jesús Salvador Ferreyra González (Peru) <sup>148</sup>		X			100%	Closed
239. Petition 1339-07, Report No. 70/16, Tito Guido Gallegos Gallegos, (Peru) <sup>149</sup>		X			100%	Closed
240. Case 12.383, Report No. 137/17, Nestor Alejandro Albornoz Eyzaguirre (Peru) <sup>150</sup>		X			100%	Closed
241. Petition 1516-08, Report No. 130/18, Juan		X			100%	Closed

<sup>146</sup> See IACHR, [Annual Report 2023, Chapter II, Section C, Advances and challenges on negotiation and implementation of friendly settlement agreements](#).

<sup>147</sup> See IACHR, Friendly Settlement Report No. 69/14, Case 12.041 (M.M. vs. Peru), dated July 25, 2014.

<sup>148</sup> See IACHR, Annual Report 2018, Chapter II, Section G. "Status of Compliance with the Recommendations Issued by the IACHR in Merits Reports and Friendly Settlement Agreements Approved by the IACHR."

<sup>149</sup> See IACHR, Annual Report 2018, Chapter II, Section G. "Status of Compliance with the Recommendations Issued by the IACHR in Merits Reports and Friendly Settlement Agreements Approved by the IACHR."

<sup>150</sup> See IACHR, Annual Report 2018, Chapter II, Section G. "Status of Compliance with the Recommendations Issued by the IACHR in Merits Reports and Friendly Settlement Agreements Approved by the IACHR."

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
Figueroa Acosta (Peru) <sup>151</sup>						
242. Case 12.095, Report No. 3/20, Mariela Barreto (Peru)			X		75%	Active
243. Case 12.174, Report No. 12/31, Israel Geraldo Paredes Acosta (Dominican Republic) <sup>152</sup>	N/A	X			100%	Closed
244. Petition 228-07, Report No. 18/10, Carlos Dogliani (Uruguay) <sup>153</sup>		X			100%	Closed
245. Petition 1224-07, Report No. 103/19, David Rabinovich (Uruguay) <sup>154</sup>	N/A	X			100%	Closed
246. Petition 1376-19, Report No. 183/22, Silvia Angelica Flores Mosquera (Uruguay) <sup>155</sup>		X			100%	Closed
247. Case 12.555, Report No. 110/06, Sebastián Echaniz Alcorta and Juan Víctor Galarza Mendiola (Venezuela) <sup>156</sup>	<a href="#">Link to monitoring sheets on matters related to reports of friendly settlement</a>			X	0%	Closed

<sup>151</sup> See IACHR, Annual Report 2020, Chapter II, Section F, Negotiation and Implementation of Friendly Settlement Agreements. Available on: <https://www.oas.org/en/iachr/docs/annual/2020/Chapters/IA2020cap2-en.pdf>.

<sup>152</sup> See IACHR, Friendly Settlement Report No. 31/12, Case 12,174 (Israel Gerardo Paredes Acosta vs. Dominican Republic), dated March 20, 2012.

<sup>153</sup> See IACHR, Annual Report 2012, Chapter III, Section D: Status of Compliance with IACHR Recommendations, paras. 1033-1039.

<sup>154</sup> See IACHR, Report No. 103/19, Petition 1224-07, Friendly Settlement, David Rabinovich, Uruguay, July 16, 2019.

<sup>155</sup> See IACHR, [Annual Report 2023, Chapter II, Section C, Advances and challenges on negotiation and implementation of friendly settlement agreements](#).

<sup>156</sup> See IACHR, Annual Report 2018, Chapter II, Section G, "Status of Compliance with the Recommendations Issued by the IACHR in Merits Reports and Friendly Settlement Agreements Approved by the IACHR." The Commission notes the lack of progress in compliance with the friendly settlement agreement since its approval. Therefore, on January 8, 2019, the IACHR decided, in accordance with Articles 42 and 48 of its Rules of Procedure, to conclude its monitoring of compliance with the friendly settlement agreement and to close the matter. The IACHR considers that the State did not comply with any of the measures set forth in the friendly settlement agreement and therefore compliance with it is pending.

CASE/PETITION <sup>21</sup>	MONITORING SHEET	FULL COMPLIANCE	PARTIAL COMPLIANCE	PENDING COMPLIANCE	COMPLIANCE PERCENTAGE <sup>22</sup>	STATUS OF COMPLIANCE
248. Case 11.706, Report No. 32/12, Yanomami Indigenous people of Haximú (Venezuela)	<a href="#">agreements of Venezuela that are subject to monitoring</a>		X		60%	Active
249. Case 12.473, Report No. 63/13, Jesús Manuel Cárdenas et al. (Venezuela) <sup>157</sup>			X		25%	Closed
<b>Total FSAs published = 249</b>						<b>Active matters: 98</b>
<b>Total FSAs in Active Monitoring Phase = 98</b>		<b>Full compliance = 110</b>	<b>Partial compliance = 137</b>	<b>Pending compliance = 2</b>		<b>Closed matters: 151</b>

## 5. Good practices in implementing Friendly Settlement Agreements observed in 2024

138. On this occasion, the Commission learned that the State of Brazil has created, within its National Attorney General's Office for International Affairs, a specialized team to advance friendly settlement agreements and compliance with recommendations. Within this framework, dialogues have been held with the State to bring together the experiences of other States in the region in the use of the friendly settlement mechanism and thus contribute to efforts to install institutional capacity to move forward more quickly in the use of the FSP. The aforementioned is consistent with the Commission's pronouncements through which it has highlighted as a good practice, in terms of administrative frameworks or structures for the negotiation and implementation of friendly settlement agreements, the creation of specialized groups or units to promote negotiations, with personnel trained in human rights, the Inter-American Human Rights System and alternative dispute resolution.<sup>158</sup> The Commission hopes that this will soon translate into greater participation by the Brazilian State in the use of the friendly settlement mechanism and invites it to continue to develop actions to this end.

139. On the other hand, the Commission recognizes as a good practice of the Colombian State that its National Agency for Legal Defense (ANDJE) designed a [microsite](#), as part of an impact strategy, through a specialized section on its website dedicated to friendly settlements and compliance with the recommendations issued by the IACHR. The site has a modern, innovative, and accessible design so that people can consult and follow up on the measures of satisfaction and guarantees of non-repetition agreed upon in the framework of the FSAs. Likewise, the Commission learned that the Colombian State launched a series of podcasts on the friendly settlement mechanism, to provide information to the public on [What are friendly settlement agreements?](#), [How to access a friendly settlement agreement?](#) and, [Are friendly settlement agreements fulfilled?](#). Through this initiative, as reported by the State, it aims to disseminate the friendly settlement mechanism to victims, their representatives and State entities, in everyday and simple language, to educate the public about this procedure. The director of International Legal Defense, as well as the friendly settlement group and the ANDJE communications team participated in its preparation. Furthermore, the Colombian State announced the

<sup>157</sup> See IACHR, [Annual Report 2023, Chapter II, Section C, Advances and challenges on negotiation and implementation of friendly settlement agreements](#).

<sup>158</sup> IACHR, [Report on the Impact of the Friendly Settlement Procedure, 2018 Edition](#). Parr. 274.

launch of the [\*"Informative Newsletter on Friendly Settlements and Compliance with Recommendations in Colombia: a mechanism for reconciliation"\*](#) developed by ANDJE itself, which will be published annually, in order to monitor the implementation of high-impact measures.

140. To this regard, the Commission values and welcomes these initiatives presented by the Colombian State and considers that these efforts not only allow for greater visibility of the work carried out by Colombia in the area of friendly settlements, but also contribute to the preservation of the historic memory of the cases, to the dignity of the victims, and to the non-repetition of the events that gave rise to these friendly settlements.

141. Similarly, the Commission positively highlights the signing of FSAs and/or recognition of responsibility in a hybrid format in the following cases with respect to the Colombian State: [\*Case 13.711, Levis Elcener Centeno Cuero\*](#), [\*Case 12.843, Luis and Leonardo Caisales Dogenesama\*](#), [\*Case 12.842, Brainer Alexander Oquendo Santana\*](#), [\*Case 13.892, Denys del Carmen Olivera and family\*](#), [\*Case 13.602, Nelson Enrique Giraldo Ramírez and family\*](#) and in the [\*Case 14.802, José Alirio Cañas Morales and family\*](#). Regarding the latter, the State also [\*produced an audiovisual piece on the dignity of the victim\*](#). To this respect, the Commission again highlights that this good practice of using electronic media and social media, which has allowed for greater participation of the victims, their families and their representatives, as well as the participation of the Commission, through its country rapporteur and the technical team of the IACHR, in these spaces that are very important in the friendly settlement mechanism and allowing for greater proximity with the States and the victims.

## **6. Challenges and setbacks in implementing Friendly Settlement Agreements observed in 2024**

142. The Commission has identified the persistent lack of inter-institutional coordination as one of the main challenges in some States in the region. The Commission has noted the lack of consultations that must be held prior to the expression of interest by the State to initiate a friendly settlement process, with the entities that are responsible for the negotiation and implementation of friendly settlement agreements. The Commission has also noted the lack of efforts by States to design transition mechanisms for outgoing and incoming authorities in the contexts of changes of administration. In this regard, during the current year, the Commission noted a significant delay in the time taken by some States to provide a response on the viability of the victims' requests within the framework of the FSA negotiations, despite the fact that these matters had already been transferred to the negotiation portfolio, and on which the round of consultations on the technical viability of the negotiation and confirmation of the willingness of the authorities involved should have been carried out before deciding to initiate the process of dialogue. This has resulted in an unnecessary drain on the technical and material resources of both the State and the victims of human rights violations, who have placed their trust in the friendly settlement mechanism and are awaiting a resolution within this framework.

143. The Commission again regrets the lack of progress in the implementation of the friendly settlement agreement signed in the Case 13.017A (Relatives of Victims of the Military Dictatorship, October 1968-December 1989), despite that five years have elapsed since its approval. In this regard, the Commission once again urges the State of Panama to make efforts to implement these measures, reminding it that, as subjects of international law, States have the obligation to comply with the decisions of the bodies of the Inter-American system.

144. Furthermore, in relation to Case 14.093 Ernesto Ramírez Berrios of Colombia, the Commission observed, in the framework of the follow-up carried out this year, that the 135th Judicial Prosecutor's Office II for Administrative Affairs of Bogotá filed an appeal against a decision issued by the Administrative Tribunal of Cundinamarca, through which the conciliation agreement was approved in the process of Law 288 of 1996, to comply with the economic compensation measure agreed upon in the FSA reached in that case and which was the subject of Approval Report No. 285/22 of the IACHR. Among the arguments of the Prosecutor's Office were issues of alleged incompetence of the ANDJE to assume international State responsibility in these instruments, and the appeal is currently pending a decision before the Council of State.



145. The Commission regrets that the State, through the actions of the Office of the 135th Judicial Prosecutor II for Administrative Matters of Bogotá, has not recognized the commitment made in this friendly settlement agreement, and it expresses its concern about the legal effects that this stance could have in this case in particular, and in other proceedings of this nature. The Commission recalls that Law 288 of 1996 arose precisely as a measure of reparation within the framework of the friendly settlement reached in *the Case of the Trujillo Massacre*, and in such a way that the Colombian State recognized the need that existed, at the time, to create a mechanism that would allow the victims of human rights violations access to fair and timely compensation.

146. The Commission further notes that the repeated practice of the Colombian State has been to include a standard clause in almost all of the friendly settlement agreements it has signed in the last decade, which includes the procedure of Law 288 of 1996 for economic compensation. This has achieved significant compliance levels that are a benchmark for other States in the region, which is why the actions of the Office of the Attorney General are surprising and disregards the work that the Colombian State has done in the area of friendly settlements through the ANDJE.

147. The Commission recalls that the mechanism of Law 288 of 1996 has been highlighted as a good practice due to the positive results achieved by the Colombian State in the execution of this type of measures<sup>159</sup>, but also because it has the effect of allowing the depersonalization of the negotiations and the management of expectations that might not otherwise be met in the framework of these dialogues when the parties become entangled in the negotiation regarding the amounts for economic compensation. By establishing an independent and regulated procedure, legal certainty is given to the victims that the economic compensations will be set in accordance with the applicable jurisprudential criteria for the type of violation suffered. This allows the friendly settlement processes to advance more promptly, both in the stage of defining the content of a FSA, and in its implementation, with the exception of the situation observed in this case, which is manifestly exceptional.

148. In addition, it should be noted that the Commission's experience shows that building a relationship of trust between petitioners and States is essential, both in the negotiation phase and in the phase of compliance with friendly settlement agreements. This implies that the States must comply fully and in good faith with the commitments assumed within the framework of the friendly settlement agreement<sup>160</sup>.

149. Therefore, the Commission urged the Colombian State to move forward as soon as possible with the ruling on the appeal pending before the Council of State, so that the substance of this end of the agreement materializes as soon as possible.

150. From another part, the Commission reiterates that the greatest challenges to moving forward with friendly settlement processes involve some States' lack of willingness to execute the measures of reparation contained in the agreements, particularly the measures related to issues of justice. It is therefore crucial for States to develop mechanisms for independent, impartial, and specialized investigation to enable them to make it a priority to comply with completing the investigations derived from international decisions.

151. The Commission also emphasizes that many of the clauses subject to supervision through this monitoring process are too broad and require the parties to hold a mutual dialog and keep minutes or memoranda of understanding to determine the content and definition of what was agreed upon, establishing components for clear measurement and roadmaps for short-term work to complete execution. The Commission makes itself available to users of the friendly settlement mechanisms to facilitate dialogue focused on securing that consensus.

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<sup>159</sup> IACHR, [Impact of the Friendly Settlement Procedure](#), Second Edition 2018, OEA/Ser.L/V/II.167, Doc.31, 1 march 2018, Original: Spanish, P. 85 and ss.

<sup>160</sup> IACHR, [Impact of the Friendly Settlement Procedure](#), Second Edition 2018, OEA/Ser.L/V/II.167, Doc.31, 1 march 2018, Original: Spanish, P. 123.

152. Lastly, the Commission reminds that it is fundamental for States to move forward in establishing administrative, legislative, or other mechanisms to streamline the processes to negotiate and implement friendly settlement agreements and guarantee that the commitments made are fully executed.

#### **D. Cases before the Inter-American Court of Human Rights**

153. The Commission continued to exercise its conventional and statutory mandates before the Inter-American Court during 2024, which included the following areas: i) submission of contentious cases; ii) appearance and participation in public and private hearings; iii) observations on requests for advisory opinions submitted by the States, and iv) submission of written observations on State reports in cases in monitoring of compliance.

154. Likewise, as of September 1, 2022, the Court began notifying its rulings in a public manner. In the acts of notification of the judgment, the Court reads the main points and resolutions of the corresponding judgment. During 2024, the Commission participated in 26 acts of judgment reading.

155. The activities and results obtained during the year are described below.

##### **1. Submission of contentious cases**

156. The referral of cases to the Inter-American Court is based, in accordance with Article 45 of the Rules of Procedure, on the criterion of obtaining justice, which is determined based on the status of compliance with the recommendations issued and other criteria established in said Article<sup>161</sup>, including the position of the petitioning party.

157. In accordance with Article 51 of the American Convention and Article 45 of the Rules of Procedure, during the year 2024, the Commission submitted 26 cases to the jurisdiction of the Inter-American Court. In those cases, when evaluating the request for additional extensions, the Commission observed that, despite the existence of State efforts in some cases, substantive progress had not been made in complying with the recommendations, and therefore, taking into account the need for justice and reparation for the victims, it decided to proceed with the submission.

158. The referral of these cases allows the Inter-American Court to rule on the responsibility of the States and issue the corresponding reparations in favor of the victims. In addition, the Court will have the opportunity to develop or deepen its jurisprudence in relation to the aspects of Inter-American public order raised by these cases, as well as on the scope of the rights recognized in the American Convention on Human Rights and other Inter-American instruments, with an impact that transcends the interest of the parties involved.

159. The Commission has 60 active cases that have been processed by the IACHR Court. In the proceedings before the Court, the IACHR participates in all matters, in accordance with the provisions of the American Convention and the Court's Rules of Procedure. Among other actions, the Commission presents its observations in relation to possible preliminary objections and acknowledgements of responsibility, offers expert evidence when the inter-American public order is affected in a relevant manner, and presents its oral and written observations in relation to the arguments of the parties, as well as with respect to the evidence that may be presented subsequently. Likewise, the IACHR participates in the hearings in those cases in which the Court summons it.

160. Among the public policy aspects of the matters submitted to the Inter-American Court in 2024 are the following: i) the obligation of States to investigate with due diligence affectations to the right to life, integrity and health of children in the framework of the care provided in health centers; ii) the measures that

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<sup>161</sup> Such complementary criteria are: a. the position of the petitioner; b. the nature and gravity of the violation; c. the need to develop or clarify the jurisprudence of the system; and d. the possible effect of the decision on the legal systems of the member states.

States must adopt to comply with their obligations of supervision and oversight of cultural activities carried out by private individuals in public spaces; iii) the requirements to be observed in contentious electoral processes in order to be compatible with the American Convention, in particular, with respect to reasonable time, the participation of the parties and third parties involved, as well as with respect to the precautionary measures that may be imposed in these circumstances; iv) the standards applicable to the protection of the right to freedom of expression in the face of public interest speech and the incompatibility of strategic lawsuits against public participation (SLAPP); v) the criteria relating to the use of lethal force in the framework of the obligation of States to guarantee security and maintain public order within their territory in situations of protests and demonstrations; vi) the right of the elderly with disabilities in the area of health and the duty of States to guarantee the rights of persons under their custody in geriatric institutions; vii) the principles applicable to the sanctioning processes against justice operators; viii) the obligations of States to guarantee the right to collective ownership and control of lands and resources, as well as the cultural rights of indigenous peoples in voluntary isolation and initial contact, with respect for the principle of self-determination of peoples and the principle of no contact; ix) the duties of States with respect to the labor-related business activities of workers, including those who are members of trade unions; x) the obligations of States with respect to the right to associate in non-governmental organizations or non-profit associations for the defense of human rights; and xi) the general obligations of States with respect to the right to autonomy or self-government of indigenous and tribal peoples.

161. With regard to the number of cases sent to the Court this year, it should be noted that, as stated *above*, the Commission found that in several of the cases in the transition stage, the requirements for granting an extension in the terms of Article 46 of the Rules of Procedure had been met, so that at the time it did not consider it necessary to send the case to the Inter-American Court. Additionally, the Commission emphasizes that it decided not to send 13 cases to the Inter-American Court and to proceed with their publication, since it did not consider that there was a need to obtain justice in such cases that merited sending them to the Inter-American Court, in the terms of Article 45 of the Rules of Procedure of the IACHR and 51.1 of the ACHR, fundamentally, given the substantive progress of the recommendations of the merits report.

162. The following is a description of the cases that were submitted to the Inter-American Court, including a breakdown by date of submission and by country.

Case No.	Name	Country	Date of submission
11.755	<u>Carlos Alberto López de Belva and Arturo Jorge Podestá</u>	ARG	January 20, 2024
13.926	<u>Jason Puracal and family members</u>	NIC	March 1, 2024
14.174	<u>José Luis Parada Sanchez</u>	VEN	March 12, 2024
12.242	<u>Pediatric Clinic of Região dos Lagos</u>	BRA	March 22, 2024
13.506	<u>Marcela Brenda Iglesias and others</u>	ARG	March 28, 2024
13.645	<u>Leonela Zelaya</u>	HON	April 11, 2024
13.726	<u>Héctor René Pérez Reyes and family</u>	GUA	April 21, 2024
14.142	<u>Julio Haron Ygarza and others</u>	VEN	May 16, 2024

13.105	<u>José Segundo Zambrano and Pablo Marcelo Rodríguez</u>	ARG	June 30, 2024
12.686	<u>Aldo Zuccolillo Moscarda</u>	PAR	July 2, 2024
14.746	<u>Ángel Eduardo Gahona López</u>	NIC	July 4, 2024
12.582	<u>Andrés Trujillo and others</u>	VEN	July 9, 2024
12.926	<u>Leandro Héctor Parpaglione et al.</u>	ARG	July 12, 2024
14.679	<u>Santos Sebastián Flores Castillo</u>	NIC	July 22, 2024
13.342	<u>Rosa Angela Martino</u>	ARG	July 25, 2024
13.546	<u>Mario Francisco Tadic Astorga et al.</u>	BOL	July 26, 2024
12.434	<u>José Milton Cañas and others</u>	COL	July 28, 2024
13.455	<u>María Cristina Aguirre</u>	ARG	August 6, 2024
13.071	<u>Eduardo José Antonio Moliné O'Connor</u>	ARG	August 20, 2024
14.500	<u>Elio Artola Navarrete</u>	NIC	October 1, 2024
13.572	<u>Mashco Piro, Yora, and Amahuaca Indigenous Peoples</u>	PER	November 1, 2024
12.542	<u>Central American Fertilizer Company workers</u>	LRC	November 13, 2024
13.469	<u>Juan Eduardo Cejas</u>	ARG	December 16, 2024
14.777	<u>Members of CENIDH</u>	NIC	December 26, 2024
13.660	<u>Indigenous People of Muy Muy and its Uluse Community</u>	NIC	December 27, 2024
14.677	<u>Agustín Jarquín Anaya</u>	NIC	December 30, 2024

- **Carlos Alberto Lopez de Belva and Arturo Jorge Podestá vs Argentina.**

163. The case refers to the international responsibility of the Argentine State for violations of due process committed in the criminal proceedings against Arturo Jorge Podestá and Carlos Alberto López de Belva, in the exercise of their professional duties as attorneys representing a third party in a civil suit for damages that their client brought against the Municipality of La Matanza.

164. Mr. Podestá and Mr. López de Belva were linked to a criminal proceeding in the framework of case No. 22,2040, which was processed before the First Instance Criminal Court No. 5 of the Judicial Department of San Martín for the crime of attempted fraud, which was initiated as a result of a criminal complaint filed by the General Counsel of the Government of the Province of Buenos Aires for alleged unlawful acts committed during the process of execution of a civil judgment in which the petitioners acted as attorneys.

165. The petitioners acted as counsel for Mr. Amilcar Cascales in a suit for damages initiated as a result of the interruption of the concession he enjoyed over the Municipal Slaughterhouse of the Municipality of La Matanza. In June 1987, the Municipality of La Matanza was found liable for breach of contract and ordered to pay a sum of money to Mr. Cascales. During the process of execution of the judgment, which lasted several years, the victims processed on behalf of their client a series of partial settlements according to a methodology of updating the amount of money owed due to the hyperinflationary process that the country was going through, which were consented to by the legal representatives of the municipality. In November 1990, the intervening judge decided to carry out an expert accounting appraisal of all the settlements made. The result of this expert appraisal was a financial loss for the municipal government's coffers due to the inaccurate calculation of the liquidations, which resulted in an accumulative effect of interest that caused the debt to grow disproportionately.

166. On May 7, 1991, Criminal Court No. 5 of San Martín, headed by Judge Juan Carlos Sorondo, issued an indictment against the petitioners for the crime of attempted fraud against the public administration. In the indictment, the intervening magistrate made assertions that implied an advanced opinion regarding the criminal liability of the petitioners. On October 8, 1991, the magistrate issued a remand order, in which he again expressed his opinion regarding the criminal liability of the petitioners, stating that "there is semi-evidence of the criminally responsible co-perpetration in the facts described of Arturo Jorge Podestá, Carlos Alberto López de Belva...". The same magistrate, on March 1, 1993, sentenced Mr. López de Belva and Mr. Podestá to 2 years and 9 months imprisonment.

167. In response to the decision of March 1, 1993, the petitioners' attorneys filed an appeal and a motion for annulment in which they alleged that the proceedings were null and void due to the prejudgment allegedly incurred by the trial judge in advancing his opinion during the preliminary investigation. On December 26, 1995, Chamber I of the Court of Appeals of the Judicial Department of San Martín decided to dismiss the nullities and uphold the conviction imposed on the victims. The petitioners also filed an appeal of inapplicability of the law alleging the unconstitutionality of Article 350 of the Code of Criminal Procedure in that it established only "the applicability of the extraordinary appeal for cases in which the final judgment reverses an acquittal or imposes a sentence of more than three years' imprisonment."

168. On March 21, 1996, Chamber I of the Criminal and Correctional Court of Appeals of San Martín decided not to uphold the claim of unconstitutionality of section 350 of the Code of Criminal Procedure and denied the appeal of inapplicability of the law. On December 16, 1997, the Supreme Court of Justice of the Province of Buenos Aires declared "well denied" the appeal of inapplicability of the law and the appeals for annulment filed in favor of Mr. Podestá and Mr. López de Belva. Against this decision, the petitioners' attorneys filed an extraordinary federal appeal, which was denied by the Supreme Court of Justice of the Province of Buenos Aires and their subsequent appeal was dismissed by the Supreme Court of Justice of the Nation through a decision dated March 31, 1999. On December 29, 1999 the Supreme Court of Justice of the Province of Buenos Aires held that the sentence imposed had the authority of *res judicata*.

169. On the other hand, two magistrates who intervened in the case *Municipalidad de La Matanza v. Amilcar Cascales*, sued the petitioners for damages related to the complaint and request for impeachment that the petitioners filed against the judges for allegedly improper performance of their duties. In the context of these proceedings, on October 31, 2000, the Judge in charge of Civil and Commercial Court No. 1 of La Plata ordered Mr. Podestá and Mr. López de Belva to pay 40,000 and 50,000 pesos, respectively, in compensation. Both sentences were confirmed by the First Chamber of the First Court of Appeals and the federal extraordinary appeals were declared inadmissible by the Supreme Court of Justice of the Nation.

170. In its Merits Report 291/21, the Commission noted that, although the successive intervention of the same judicial authority in the preliminary investigation stage and subsequently in the plenary or trial stage is not in itself incompatible with the guarantee of an impartial judge, judges who - in accordance with the judicial organization of the jurisdiction in which they serve - are called upon to intervene in both the pre-trial and trial stages must exercise their functions with special care not to perform acts that could be seen as advancing an opinion or that could give rise to a well-founded fear of partiality on the part of the parties. In the instant case, the Commission considered that in the resolutions of May 7 and October 8, 1991, the examining magistrate included evaluations on the degree of conviction of the evidence gathered in the case file and with respect to the merits of the proceeding. The Commission indicated that the judge recorded various opinions on the criminal responsibility of the petitioners that would be more appropriate for a pronouncement at the trial stage and that these resolutions deprived the judge of his necessary objective impartiality and should have disqualified him from continuing to hear the case during the plenary or trial stage, especially considering that, at the end of this second stage, the judge imposed prison sentences on Mr. Podestá and Mr. López de Belva.

171. In this regard, the Commission considered that it is possible that the participation of Judge Juan Carlos Sorondo during the investigation may have generated reasonable doubts in the petitioners regarding his impartiality at the time of intervening in the trial or plenary stage. Consequently, it considered that the guarantee of an impartial judge was affected in its objective aspect and that the Argentine State is responsible for the violation of the right to due process.

172. Likewise, the Commission indicated that the normative limitation in Article 350 of the Code of Criminal Procedure of the Province of Buenos Aires for the applicability of the law to a sentence of less than three years' imprisonment in force at the time of the facts constituted a restriction incompatible with the right to judicial protection, since as a consequence of having been sentenced to a sentence of less than three years' imprisonment, Messrs. Podestá and López de Belva did not have at their disposal the remedy of inapplicability of the law that was the key to access to the courts of the highest provincial court. The Commission considered that this circumstance meant that the petitioners did not have an effective remedy to protect the rights they alleged were violated by the conviction handed down by the Court of Appeals.

173. In addition, the IACHR emphasized that neither the Supreme Court, at the time of declaring the inadmissibility of the petitioners' appeal for inapplicability of the law, nor the Argentine State, throughout the proceedings, gave reasons that would allow for adequately justifying the existence of the difference in treatment between the universe of persons sentenced to more than three years in prison *vis-à-vis* those sentenced to less than three years in prison. Likewise, it pointed out that no reasons have been provided to explain why the three-year prison term was used as a parameter and requirement for the admissibility of the appeal for non-applicability of the law. In this sense, the Commission considered that the rejection of the appeal for non-applicability of the law based exclusively on the amount of the sentence imposed on the petitioners affected the principle of equality before the law.

174. Based on said considerations of fact and law, the Commission concluded that the Argentine State is responsible for the violation of the rights to be tried by an impartial judge, to judicial protection and to equality before the law enshrined in Articles 8(1), 25 and 24 of the American Convention, respectively, in relation to Article 1(1) and 2 of the same instrument, to the detriment of Mr. Carlos Alberto López de Belva and Mr. Arturo Jorge Podestá.

- **Jason Puracal and family members vs. Nicaragua.**

175. The case refers to the international responsibility of the Republic of Nicaragua for the illegal and arbitrary detention of Mr. Jason Puracal, his deprivation of liberty in prison conditions that constituted cruel, inhuman or degrading treatment and his subjection to criminal proceedings in violation of due process as a result of which he was deported from Nicaragua.

176. At the time of the facts, Mr. Puracal was 33 years old, born in the State of Washington in the United States and worked in real estate in Nicaragua. On November 11, 2010 he was in his office in the city of



San Juan del Sur, when he was raided by the National Police. The officers seized Mr. Puracal's assets and proceeded with his arrest. Simultaneously, the police raided his home. These acts were carried out without a warrant. On November 12, 2010, the Chief of Judicial Assistance of the National Police, under Article 246 of the Code of Criminal Procedure (CPPN) requested the validation of the acts under investigation before the competent judge, which was granted on the same day.

177. On November 13, 2010, Mr. Puracal was transferred to the Rivas prison and on November 15, 2010, he entered the "El Chipote" prison, where he remained until he was transferred to the "La Modelo" prison on November 17, 2010. According to the victim's statement, once in "El Chipote", he was placed in an "individual cell of 8" x 10" with 8 feet high" dark and dirty, without access to natural light, without clothing or bedding. Similarly, during his stay in the Modelo prison, he was in a cell of approximately 3.6 x 4.5 meters with 8 or 9 other people, among other inhumane conditions. Mr. Puracal stated that he was not provided with treatment for the various health problems he presented, including his asthma condition.

178. On November 13, 2010, the Prosecutor presented the accusation against Puracal before the Criminal District Judge of Rivas, which led to the opening of the trial for the crimes of organized crime, international transportation of narcotics, psychotropic and controlled substances, money laundering, property and assets. On November 14, 2010, the Judge held the preliminary hearing with the presence of the accused, being this the first opportunity in which the detainee would have been presented before a judicial authority after his arrest.

179. On September 6, 2011, the District Trial Court of the city of Rivas, sentenced Jason Puracal for the crimes of Organized Crime, money laundering and illegal international transportation of narcotics. This sentence was appealed on October 5, 2011. On September 12, 2012, the Court of Appeals of the Southern District, Criminal Chamber, decided that the appealed sentence lacked motivation and grounds, and therefore declared the nullity of the trial and ordered the release of the defendants. Faced with this decision, on July 23, 2015, the Supreme Court of Justice, in the Criminal Chamber, decided "to deny the appeals of Criminal Cassation of form and substance".

180. On September 14, 2012, the Directorate of Migration and Aliens by Resolution No. 090/2012 ordered the deportation of Jason Puracal "for considering that he constitutes a danger to public safety and public order and the State reserves the right not to allow his entry into the country".

181. During the years he was detained, his relatives filed a series of appeals, including a motion to exhibit the risks to Mr. Puracal's physical and psychological integrity in the facilities of "El Chipote", as well as complaints and requests before the Ministry of the Interior due to the lack of specialized medical assistance, isolation and denial of conjugal visits.

182. In its Merits Report No. 389/22, the IACHR first referred to the circumstances in which Mr. Puracal was detained. Regarding the legality of the detention, the Commission observed that, in the arrest record issued by the National Police, the officers simply checked the box designated for flagrante delicto offenses, without recording the reasons that, in application of the grounds established by law, would have justified his detention or the constituent elements of flagrante delicto. Therefore, the Commission concluded that the detention was illegal. The Commission also considered that the victim was not informed of the reasons for his detention and that the State did not provide information that would allow it to conclude that Mr. Puracal was notified of his right to communicate with a consular official of his country in order to seek the assistance recognized in Article 36.1.b of the Vienna Convention on Consular Relations.

183. Regarding the judicial review of the detention without delay, the Commission noted that Mr. Puracal's appearance before a judicial authority did not take place until three days after his detention and that the State did not present any justification as to why he was not taken immediately, without delay, before a judge. Furthermore, under the remedy of habeas corpus, the judicial authority did not carry out an adequate judicial control over the victim's detention.



184. In this sense, the IACHR considered that the State is responsible for the violation of the right to personal liberty, in various aspects, namely: the legality of the detention, information of the reasons for detention, the right to be informed about the right to consular assistance and the right to judicial control without delay of the detention.

185. With regard to the preventive detention measure, the Commission observed that the judge who imposed Mr. Puracal's detention did so based on Article 173 of the CPPN, which establishes this measure on the basis of the seriousness of the crime, without allowing an analysis of the procedural purposes of preventive detention and whether it is appropriate, necessary and proportional, and that, in fact, the judge did not conduct such an analysis in his decision. The Commission also noted that the preventive detention lasted 22 months, which, considering the arbitrariness and disproportionality of the measure, was unreasonable. The Commission also observed that no evidence was provided to establish that Mr. Puracal's preventive detention was duly and periodically reviewed by the competent judge and that the remedy of habeas corpus was not effective in determining his whereabouts, nor the legality of his detention, and therefore the protection afforded through this remedy was illusory.

186. Regarding the presumption of innocence, the Commission reiterated that the decision of the judge who ordered the preventive detention was neither justified nor motivated and that he simply applied article 173 of the CPPN, which was arbitrary. Therefore, the Commission considered that the prolongation of the deprivation of liberty until the decision of the Grenada Court of Appeals was tantamount to an anticipated sentence, contrary to the presumption of innocence.

187. In this regard, the IACHR concluded that the Nicaraguan State, by establishing that pretrial detention is the rule and not the exception in the cases provided by law, and by failing to provide sufficient motivation regarding the achievement of a legitimate aim compatible with the Convention when decreeing pretrial detention, is responsible for the violation of the right to personal liberty and the presumption of innocence.

188. On the other hand, the Commission observed that, during Mr. Puracal's stay at the "El Chipote" prison, his personal integrity was affected and that he suffered cruel, inhuman or degrading treatment. It also noted that the State did not indicate that it had conducted an exhaustive investigation into these circumstances, in addition to the particular conditions of Mr. Puracal's detention, as he was an arbitrarily detained person, a foreigner and was not guaranteed consular assistance, elements that aggravated his situation.

189. Regarding the prison conditions in "La Modelo" prison, the IACHR observed that Mr. Puracal remained 22 months deprived of liberty in this center under prison conditions that were not in accordance with the minimum principles for persons deprived of liberty, suffered from overcrowding, lack of access to drinking water, and did not have sufficient access to sunlight. It also considered that these conditions of detention meant an affectation of Mr. Puracal's right to live in a detention regime compatible with his personal dignity, and included forms of punishment in addition to the deprivation of liberty itself, which entailed serious injuries, suffering and damage to his health.

190. The Commission noted that the victim, his next of kin and his attorney informed the various prison, judicial and executive authorities of the situation in which Mr. Puracal was being detained; however, the State did not provide evidence to demonstrate that an investigation had been opened to clarify the facts. Likewise, the IACHR considered that the medical examination upon Mr. Puracal's admission to the "La Modelo" prison was untimely, that he did not have a medical examination upon admission after the transfers to which he was subjected, and that he did not receive proper medical attention during his stay in the prisons, without being able to have a check-up by his private physician. The Commission also noted that the victim shared a cell with persons who had already been convicted and with persons who were still being prosecuted, for which reason the State failed to comply with its obligation to keep the accused separate from the convicted. In light of these considerations, the IACHR concluded that the State of Nicaragua is responsible for the violation of the right to humane treatment for the events that occurred during his detention in both prisons.

191. Additionally, it determined that the State is responsible for the violation of the guarantees of due process and judicial protection in the framework of the criminal proceedings against Mr. Puracal. In particular, the IACHR noted that: (i) the State did not guarantee the right to be informed of his right to consular assistance because he was a foreign citizen; (ii) the length of the criminal proceeding was contrary to the guarantee of reasonable time; (iii) the restrictions on communication with his attorney did not allow him to exercise his right to have adequate means of defense; iv) the remedy of habeas corpus was not effective, since the enforcement judge did not accurately determine where Mr. Puracal was; v) the State has not investigated, tried or punished those responsible for the cruel, inhuman or degrading treatment to which the victim was subjected.

192. On the other hand, the Commission considered that the State is responsible for the violation of the right to the protection of honor and dignity, specifically the protection of the home, since there was no motivation or just reasons for the search of Mr. Puracal's offices and home. Likewise, the State is responsible for the violation of the right to property because the decision to validate the seizure of the assets was arbitrary and no evidence was provided to demonstrate the return of the assets that were seized and/or occupied in the criminal investigation against Mr. Puracal, nor the payment of fair monetary compensation for these assets.

193. Finally, the Commission emphasized that the minimum guarantees for Mr. Puracal's expulsion or deportation procedure were not complied with and that, in particular, he was not notified of the procedure before the General Directorate of Migration and Alien Affairs nor of the charges against him, the reasons for the expulsion or deportation; nor was he informed of his rights during the process. In this sense, the Commission indicated that the State is responsible for the violation of the right to movement and residence.

- **José Luis Parada Sánchez vs. Venezuela.**

194. The case refers to the international responsibility of the Venezuelan State for the deprivation of liberty of José Luis Parada Sánchez in the context of a criminal proceeding that was not conducted in accordance with the guarantees of due process, as well as for the lack of medical care while he was deprived of liberty.

195. Mr. Parada Sánchez held various positions within Petróleos de Venezuela S.A. (PDVSA) since 1990. Specifically, between January 2007 and September 2008 he served as General Manager of Exploration and Production West. On May 21, 2008, Mr. Parada was denounced by members of the workers union called "SINUTRAPETROL" for allegedly committing irregularities in the bidding and contracting of services.

196. On May 23, 2009, the Twenty-fifth Prosecutor's Office of the Zulia State Public Prosecutor's Office initiated an investigation. On February 1, 2015, in compliance with an arrest warrant issued by the Eighth Criminal Control Court, the victim was detained by SEBIN officers at the "La Chinita" International Airport in Maracaibo when he was about to board a private flight Maracaibo-Valencia. The SEBIN members went to the place of detention in a van with no visible license plates. The petitioner claims that the SEBIN officers did not identify themselves as such at the time of the arrest, nor did they inform the victim of the reasons for the arrest or of the existence of the arrest warrant.

197. On February 3, 2015, the victim was presented before the Court, which decreed ordinary proceedings for the crimes of fraudulent embezzlement in degree of continuity and association to commit a crime and imposed a measure of preventive judicial deprivation of liberty, in addition to the preventive blocking and immobilization of bank accounts. On March 20, 2015, the Public Prosecutor's Office filed a formal accusation.

198. The preliminary hearing was postponed by the Court up to 35 times due to the SEBIN's failure to transport the victim to the Court's headquarters, despite the Court's express and repeated requests. The concurrence of these non-attendances led to the fact that the preliminary hearing, initially scheduled for April 15, 2015, ended up taking place on September 22, 2017 after the victim submitted a brief to the Court, by means

of which he declared himself contumacious with the justice system and delegated his representation to his private defense in order to allow the preliminary hearing to take place without his presence.

199. In the preliminary hearing, the Eighth Court of Criminal Control decided to order the order to open a trial against the victim for the crime of continuous fraudulent embezzlement, to declare the dismissal of the crime of criminal association, and to maintain the alternative precautionary measure to the deprivation of liberty.

200. According to the information provided by the petitioner, between August 4 and September 17, 2015, the Eighth Criminal Control Court issued at least six requests to the Director of SEBIN, so that Mr. Parada could be transferred from Helicoide to different health centers where he was to undergo medical evaluations related to his hypertension problems and other suspicious pathologies.

201. On September 23, 2015, the Dr. Jiménez Rojas Surgical Medical Institute issued a medical report diagnosing the victim with various pathologies, which was complemented with the result of a biopsy performed on Mr. Parada. According to the information available in the case file, the Eighth Criminal Control Court reportedly sent up to eight times to the SEBIN to order the transfer of the victim to the different health centers where he could receive the appropriate treatment for his condition. However, the SEBIN permanently showed its refusal to carry out these transfers, which limited Mr. Parada's possibilities of receiving timely attention.

202. On October 2, 2015, the victim's legal defense filed an amparo action together with a request for a humanitarian measure before the Constitutional Chamber of the Supreme Court of Justice, explaining his situation, particularly Mr. Parada's diagnosis of colorectal cancer and the risk factors he was facing. There is no record in the case file that the Constitutional Chamber has pronounced on the admission or admissibility of the amparo action or resolved the merits of the appeal.

203. On May 18, 2016, the Eighth Court of Criminal Control, replaced the preventive detention measure by one of house arrest with prohibition to leave the country, considering the seriousness of the victim's illness, which became effective on June 15, 2016. On March 1, 2017, the Eighth Criminal Control Court agreed the substitution of the house arrest for a measure of periodic presentation, which was notified to SEBIN on the same day, ordering the immediate release of the victim, and reiterated up to eight times between April 21 and August 8, 2017. This court order was not complied with by SEBIN officials.

204. During the month of March 2017, the legal representation of the victim filed two writs of amparo in the form of habeas corpus before the Constitutional Chamber of the Supreme Court of Justice and before the Court of First Instance in Guard Functions of the Criminal Judicial Circuit of Caracas, which received no response. On December 30, 2017, Mr. Parada took advantage of an oversight in SEBIN custody to flee from his residence.

205. In its Admissibility and Merits Report No. 393/22, the Commission noted that there is no document or evidence in the case file to prove that the victim's detention was carried out in a manner consistent with the American Convention. In particular, the Commission noted that the SEBIN officials failed to identify themselves as such and that they did not inform the victim at the time of his arrest of the existence of an arrest warrant against him, nor of the grounds on which it was based. The victim indicated that she had the opportunity to access the arrest warrant two days after her arrest, when she was brought before the court. The Commission determined that this constituted a violation of the victim's personal liberty.

206. Regarding the preventive detention measure, the IACHR observed that it took into account a presumption of danger of flight provided for in Article 237 of the Organic Code of Criminal Procedure of Venezuela, which is incompatible with inter-American standards on the matter, and that the court used other types of reasoning that were also incompatible with the procedural purposes that preventive detention should pursue. In view of the foregoing, the Commission considered that from the beginning the preventive detention

was arbitrary and constituted a punitive and not a precautionary measure, in violation of both the right to personal liberty and the principle of the presumption of innocence.

207. On the other hand, the Commission noted that pretrial detention was replaced by house arrest and that on March 1, 2017, the Eighth Court replaced house arrest with periodic presentation of the victim. However, SEBIN repeatedly refused to comply with the order issued by the court. Consequently, the Commission found that, at least from the time the March 1 decision came into effect, the victim's deprivation of liberty not only lacked a normative basis, but also became arbitrary because it lacked any justification whatsoever.

208. The IACHR also found that the victim did not have an effective remedy to obtain his release and that, despite the fact that the habeas corpus remedy would be suitable to protect the right to personal liberty against arbitrary detentions, neither of the two amparos initiated by the victim's defense resulted in the release order being complied with by SEBIN. On the contrary, the IACHR found that, despite the urgency of the situation, more than four years having elapsed since their filing, neither of the two appeals had been resolved on the merits. Consequently, the IACHR considered that the State did not provide the victim with an effective remedy that would allow him access to judicial control of his detention, once it became illegal and arbitrary.

209. Based on these considerations, the Commission indicated that the State of Venezuela is responsible for the violation of the right to personal liberty in its various dimensions, as well as the right to the presumption of innocence, to judicial guarantees and to judicial protection.

210. In addition, the Commission observed that the victim did not have the possibility of receiving timely and adequate health care while in the custody of the State and that the State did not provide the victim with an adequate and effective remedy to protect her from the harm she suffered. In this sense, the Commission considered that the State is responsible for the violation of the right to humane treatment, to health and to judicial protection.

211. Finally, the Commission observed that the criminal proceeding against the victim began on May 21, 2008 and that, despite the fact that more than 10 years had passed since the criminal complaint was filed, the proceeding had not only not concluded, but did not even have a first instance judgment. In view of this, the Commission concluded that the State is responsible for the violation of the right to due process and judicial protection.

212. Based on the findings of fact and law, the Inter-American Commission concluded that the State is responsible for violations of Articles 5(1) and 5(2) (right to humane treatment), 7(1), 7(2), 7(3), 7(4), 7(5) and 7(6) (right to personal liberty), 8(1) and 8(2) (right to fair trial), 25(1), 25(2)(c) (right to judicial protection) and 26 (progressive development) of the American Convention on Human Rights, in relation to the obligations established in Articles 1(1) and 2 of the same instrument.

- **Clínica Pediátrica Da Região Dos Lagos vs Brazil.**

213. The case concerns the international responsibility of the Brazilian State for violations that occurred in the context of the investigations into the deaths of 96 babies between June 1996 and March 1997 as a result of medical negligence by employees of the Clínica Pediátrica da Região dos Lagos.

214. CLIPEL was created in 1995 as a private for-profit clinic. It was located in the internal area of the Santa Izabel Hospital, in the city of Cabo Frio, in the state of Rio de Janeiro. CLIPEL received funds from the State within the scope of SUS for the Neonatal Intensive Care Unit (UTI).

215. The victims were born in the state of Rio de Janeiro as healthy babies, and most of the mothers had no health problems during pregnancy that could have put the babies' lives at risk. Due to different circumstances, including respiratory complications, prevention reasons, prematurity or lack of places in other hospitals, the babies were taken to CLIPEL's neonatal ICU.

216. Once the victims were hospitalized at CLIPEL, their relatives declared to authorities that they had observed irregularities in the medical treatment and lack of hygiene, among other issues of concern. In particular, one of the victims stated that: (i) when she went to visit her daughter, the health professionals gave her a gown that had already been used by other people, a fact that she saw repeated with the parents of the other hospitalized babies; (ii) when entering the ICU, she was not told to cover her mouth with a mask; (iii) nurses and doctors had contact with several children without washing their hands when passing from one to another; (iv) doctors wore the same clothes that had been worn by other doctors before entering the ICU and also did not wear a mask; and (v) some doctors leaving the ICU, hung up their gown, smoked cigarettes, put on the same clothes and entered the ICU again.

217. According to the Regional Council of Medicine of the State of Rio de Janeiro (CREMERJ), the competent body to supervise the ethical conduct of the medical professionals involved in the events, between 1995 and 1997, the mortality rate of the children hospitalized at CLIPEL was approximately 21.20% and of these deaths, at least 37 were said to have been caused by "sepsis". On the other hand, according to the Fernandes Figueiroa Institute of the Oswaldo Cruz Foundation (IFF/Fiocruz), a body attached to the Ministry of Health, between May 1996 and April 1997, the infant mortality rate in the neonatal ICU of CLIPEL was "totally abnormal". In particular, this institute indicated that during that period there was neonatal sepsis in at least 60.8% of the deaths and that in December 1996 alone, 10 of the 11 infants who died had sepsis. In this context, between April 1996 and March 1997, more than 80 newborn babies died at CLIPEL.

218. These deaths were allegedly caused by hospital infections and medical negligence. The death certificates indicated as causes of death neonatal sepsis, pulmonary hemorrhage, prematurity, respiratory distress, cardiopulmonary arrest, respiratory distress syndrome or rubella. In particular, one of the death certificates indicated that the baby was "the newborn of a diabetic mother". According to the statements of the mothers and fathers of the babies, and the results of the blood tests performed by the Osmani Sobral Rezende Clinical Biochemistry Laboratory, it was found that the babies had been infected by a germ of hospital origin, and the presence of the *Klebsiella Pneumoniae* bacterium was recognized in the blood of the victims. In this regard, the expert report of IFF/Fiocruz concluded that it was impossible to attribute the abnormal mortality rate at CLIPEL to factors other than hospital contamination.

219. Several experts affirmed that, once the outbreak of hospital infection was confirmed, the doctors and directors of CLIPEL should have ordered the interdiction of the clinic and the sterilization of the place. According to the police investigation report, the findings led to the conclusion that there was negligence on the part of CLIPEL's directors, and that the health professionals treated the neonatal babies in a negligent and careless manner.

220. As a consequence of the facts described above, at least five administrative proceedings were initiated: (i) before the Health Inspection Coordination of the Health Secretariat of the State of Rio de Janeiro (COFISA), in which the victims' relatives did not obtain answers about the events that occurred; (ii) before CREMERJ which was initiated in 1997 to investigate the conduct of the medical director of CLIPEL, and in 2000 concluded that the referred physician had not committed wrongdoings; (iii) before the Ministry of Health, which was initiated in 1998 to determine the responsibility of the physician Luiz Cavalcanti Lopes, and which in the same year concluded that he was not responsible for the deaths of the victims; (iv) before the Cabo Frio City Council; and (v) finally a civil investigation before the Public Prosecutor's Office, which was closed in 2006 because it was considered that the complaints constituted administrative offenses and were not within the competence of the Criminal Prosecutor's Office.

221. Also, on April 7, 1997, Mrs. Marilucy Dias de Souza and other relatives of the deceased babies denounced to the Public Prosecutor's Office the death of more than 30 newborns at CLIPEL, as well as the suspicion of an outbreak of hospital infection and staff negligence. On April 8, 1997, the Public Prosecutor's Office of the state of Rio de Janeiro requested the 4th Regional Division of the Civil Police to initiate an investigation into the facts. The police investigation report of September 4, 1997 concluded that the Director of the CLIPEL neonatal ICU should be charged with homicide because of causality between his conduct and the deaths in question.



222. On December 21, 1999, the Public Prosecutor's Office presented its complaint to the judge of first instance of the Criminal Court of Cabo Frio. It indicated that eight doctors were responsible for negligent homicide of the newborns due to hospital infection.

223. On February 23, 2000, the first hearing was held before the Cabo Frio Criminal Court, in which the defendants were interrogated and statements were taken from two experts. On February 24, 2003, a sentence was issued by which, based on Article 386, paragraph II of the Criminal Procedure Code, the defendants were acquitted of the charge of manslaughter. The Judge considered that, due to the absence of negligent behavior and causal nexus, the typical act of negligence did not exist, but that the deaths occurred due to force majeure. However, the Judge warned that "we need to comment on the complaint, because despite the brilliance of the undersigned, it is practically inept, since it did not individualize the conduct of each of the defendants, attributing to all the same conduct, without bothering to discriminate the defendants who had contact with the victims as doctors on duty".

224. The parties appealed the sentence on June 5, 2003 and July 28, 2003. On March 15, 2005, the Fourth Criminal Chamber of the Court of Justice of the State of Rio de Janeiro upheld the acquittal.

225. Some of the victims filed direct reparation actions against CLIPEL for the death of their sons and daughters. However, all were declared inadmissible. In addition, the Public Prosecutor's Office opened an investigation for a public civil action to inquire into the petitioners' allegations. As part of this investigation, on June 28, 2002, it made a technical visit to CLIPEL to determine irregularities, and concluded that in 2002 the infrastructure of the clinic was adequate for care. On April 4, 2006, the prosecutor in charge of the civil investigation requested that it be closed, because the allegations would constitute, in principle, administrative offenses, and therefore it was not within the jurisdiction of the Criminal Prosecutor's Office to conduct the investigation.

226. In its Merits Report 267/22, the Commission noted that, at the time of the facts, there was an abnormal incidence of hospital infections in CLIPEL, factors of overcrowding and lack of professionals, as well as situations associated with poor hygiene and cleanliness of the environment, which constituted a situation of real and imminent risk to the rights of children that the State knew or should have known about if it had complied with its duties of supervision and oversight. Faced with this situation, the Commission concluded that the State did not adopt effective measures to prevent the occurrence of the health effects and subsequent death of the 96 infant victims in this case, with respect to whom it had a particularly reinforced duty, taking into account their extremely vulnerable situation as newborns. Consequently, the IACHR determined that the Brazilian State is responsible for the violation of the rights to life, health and personal integrity to the detriment of the 96 newborns who died inside CLIPEL in relation to its duty to guarantee the rights of the child.

227. With respect to the investigation of the facts and the proceedings in the domestic jurisdiction, the Commission first observed that, in the criminal proceedings, as noted by the judge who heard the case, the Public Prosecutor's Office did not identify the criminal conduct attributable to each of the accused physicians and that this omission, which reflects the failure to observe a fundamental element of individual criminal responsibility, was decisive in the judicial outcome that acquitted the defendants.

228. With regard to the first instance judgment, the IACHR noted that the judge considered, in essence, that there were no elements to determine that the doctors were at fault and that there was no causal link between the deaths of the babies and the conduct of the defendants. The Commission considered that the judge based his decision mainly on reports issued by the competent health entities that did not carry out regular and effective control tasks. In this regard, the Commission noted that, despite the fact that the petitioners denounced before the Public Prosecutor's Office the technical soundness of the technical reports of the health authorities and that other specialists expressly mentioned their serious shortcomings, the State did not show that it had conducted an exhaustive investigation aimed at contrasting or questioning their validity. The Commission indicated that the decision to acquit the doctors was reached in the context of serious irregularities in the investigation, including the failure to incorporate the blood tests offered by the petitioners with the

diagnosis of infection of the children, the failure to incorporate technical expertise, as well as the loss of testimonial statements of the accused.

229. Regarding the second instance decision, the Commission noted that the ruling recognized a series of irregularities in the CLIPEL but concluded that a causal nexus had not been accredited due to the omission of the physicians involved in the absence of further evidence that would offer greater certainty. The Commission noted that precisely this lack of certainty resulted from the lack of sufficient evidence to clarify what happened. In this sense, the Commission considered that the ruling established a conclusion that was not the product of a diligent investigation.

230. With respect to the administrative and civil proceedings, the IACHR considered that the State did not provide sufficient information to indicate that steps were taken by the health authorities to clarify the facts, nor information that would allow it to conclude that the victims' next of kin were heard in the context of these administrative proceedings. In particular, it emphasized that within the framework of the investigation that it processed before the Ministry of Health, the aforementioned body stated that the manifestations of the victims' next of kin were "uproar, sensationalism, lack of attention and hasty attitudes".

231. The Commission also noted that all the civil actions brought by family members against CLIPEL were declared inadmissible and that, in at least two cases, the decision was based on the fact that the fault of the doctors had not been proven, without any actions to establish liability in this area having been demonstrated and despite the fact that civil liability is independent of criminal liability under Brazilian domestic law. The Commission also noted that the decisions in the civil sphere did not adequately consider that adulterated antibiograms and medical reports were performed. Thus, the Commission noted that there was a lack of due diligence on the part of the authorities in charge of these proceedings.

232. On the other hand, the IACHR asserted that the civil investigation before the Public Prosecutor's Office was filed under the argument that the alleged facts could constitute an administrative offense, which were not within the competence of the Criminal Prosecutor's Office. In this regard, it emphasized that, under the terms of Law 7.347 of July 24, 1985, the Public Prosecutor's Office has the authority to file "public civil actions" in cases of damages in matters of diffuse or collective interest, such as the right to health. In this sense, the Commission considered that the Public Prosecutor's Office could have acted diligently and evaluated the possibility of filing a public civil action before the investigation was closed.

233. In addition to the above, the Commission considered that the delay of almost ten years to obtain a final decision in criminal proceedings was linked to the conduct of the authorities in charge and that, beyond the complexity of the case, it was unreasonable that the Public Prosecutor's Office only in June 2002 had carried out proceedings on events that occurred in 1996 and 1997, and therefore determined that the State violated the guarantee of reasonable time.

234. In light of the foregoing considerations, the IACHR concluded that the Brazilian State failed to comply with its duty to investigate and prosecute with due diligence, within a reasonable time and in accordance with its duty to provide reasons, to the detriment of the children's next of kin.

235. It also considered that the State did not adopt concrete measures to investigate the facts from an intersectional gender perspective that would consider the situation of vulnerability of the mothers in a state of puerperium and the race of these women and families. On the contrary, the Commission observed that the authorities of the Ministry of Health and the judicial system acted by applying gender stereotypes referring to the lack of prenatal care and previous health conditions of the mothers as a cause of the death of the babies, and that the application of these gender stereotypes affected, in general, the State's duty to investigate. In this sense, the Commission concluded that the State of Brazil is responsible for the violation of the principle of equality and non-discrimination to the detriment of the victims' mothers.



236. Finally, the Commission considered that the loss of their loved ones and the absence of truth and justice caused suffering and anguish to the members of the families of the victims of the infectious outbreak, in violation of their right to psychological and moral integrity.

237. Based on the findings of fact and law, the Inter-American Commission concluded that the Brazilian State is responsible for the violation of the rights to personal integrity, to life, to judicial guarantees, to equality before the law and non-discrimination, to judicial protection and to health, as well as the rights of children, enshrined in Articles 4(1), 5(1), 8(1), 19, 24, 25 and 26 of the American Convention on Human Rights with respect to the obligations established in Article 1(1) of said instrument, as well as Article 7 of the Convention of Belém do Pará.

- **Marcela Brenda Iglesias et al. v. Argentina.**

238. The case refers to the international responsibility of the Argentine State for the violation of the rights to life, to personal integrity, to the protection of children, to judicial guarantees and to judicial protection for the death of Marcela Brenda Iglesias Ribaudo and for the impunity in the investigation of the facts.

239. The child Iglesias Ribaudo was born on October 19, 1989 and, at the time of the facts, she was 6 years old. On February 15, 1999, Marcela Brenda participated in an activity for the sons and daughters of the Hipotecario Nacional bank which consisted of a walk to the "Paseo de la Infanta" recreational complex. Most of the children were playing in the area designated for pedestrian traffic and in this same space was located a 250 kg iron sculpture called "Elements" created by the artist Danilo Dazinger. Suddenly, the sculpture collapsed, causing the immediate death of Marcela Iglesias.

240. On the occasion of Marcela Brenda's death, the National Court of First Instance in Correctional Matters N° 11 intervened in the criminal proceedings in which the sculptor of the work, the person in charge of the art gallery "Der Brucke" who had the custody and care of the work, the General Director of the National Police, the Director of Routine Inspections of the Municipality of Buenos Aires, the Head of Department of Zone III of the Municipal Police and the official who signed the resolution that allowed the commercial activities on the premises were charged.

241. The process was developed for the crimes of culpable homicide, culpable injuries, and omission of the duty of care of public officials. During the investigation it was proved that the "metallic structure was in an evident state of oxidation and corrosion; that, in spite of its large part and weight, it was only fastened at two ends with a single welding point; and that it had never been properly secured, taking into account its weight and proportion".

242. On March 1, 1999, the Prosecutor requested that the case be referred to trial and on November 19, 1999, the case was referred to oral trial before National Correctional Court No. 3. During this stage, the petitioner reported that the accused filed "multiple motions for annulment, requests for extensions of time, recusals and objections to jurisdiction, with the purpose of delaying the continuation of the proceedings and consequently slowing down the conduct of the oral trial".

243. On March 10, 2003, the magistrate in charge of Correctional Court No. 3 declared the criminal action for the crime of failure to perform the duties of a public official extinguished with respect to one of the accused. Subsequently, according to the petitioner, the defenses of the other defendants filed nullity and prescription of the criminal action and appeals for cassation, which were rejected and, at the same time, a trial date was set on one occasion.

244. On March 15, 2005, the Federal Chamber of Criminal Cassation decreed the extinction of the criminal action due to the statute of limitations and acquitted the rest of the accused persons. According to the information provided by the petitioner and the public information on the reason for the decision, the judicial authority retroactively applied a new regulation that established another way of counting the statute of

limitations, which was more favorable for the defendants. On December 14, 2005, Chamber IV of the Chamber of Cassation rejected the cassation appeal filed by the plaintiff.

245. On November 8, 2006, Attorney Esteban Righi filed an opinion before the Supreme Court requesting that the case be reopened. In this regard, he requested that the extraordinary appeals filed by the petitioner be declared well-founded and that the declaration of extinction of the criminal action due to the statute of limitations be annulled. On December 11, 2007, the Supreme Court of Justice of the Nation declared the extraordinary federal appeal inadmissible, maintaining the statute of limitations of the criminal action for the wrongful death of Marcela Iglesias.

246. In its Merits Report No. 266/22, the Commission considered that the State did not adopt measures in the face of the actions of third parties and that its omission was of such magnitude that it did not attempt to prevent the damage caused by risky activities, despite the fact that persons of special protection, such as children who went to the Promenade for recreational purposes, were passing through the place. The Commission pointed out that the State should have been aware of the logical situation of risk implied by the exposure of large weighty structures in a public space, and yet it did not adopt any reasonable measure to avoid the configuration of such risk.

247. In particular, it considered that the Argentine State did not adopt measures of supervision and oversight of the companies that developed their Art Galleries in a public space with transit of people, including children, which would have identified effective measures to prevent the risks of the poorly secured and welded "Elements" structure, whose fall caused the death of Marcela Brenda Iglesias. For this reason, the Commission considered that it was responsible for the violation of the right to life and personal integrity and protection of children.

248. Likewise, the IACHR observed that after the death of the girl Brenda Iglesias, a criminal investigation was initiated that progressed until the summons to trial of individuals and State officials on December 13, 1999; however, years later, the judicial authorities declared the statute of limitations on the criminal action by applying a new regulation on the calculation of the statute of limitations. In this regard, the Commission analyzed whether the proceedings were conducted in accordance with inter-American standards on due diligence in the investigation.

249. The Commission also pointed out that the petitioner presented a series of proceedings in the trial that demonstrate that multiple appeals and challenges were filed by the defendants' defense attorneys. Some of these appeals were resolved by the trial court and others were processed before the Chamber of Cassation. The Commission also noted that there was a change of judicial authority, as in 2000 a new judge took over the case. The Commission noted that the requests for statute of limitations by the defense were frequent, appealed and prevented the trial from being carried out, which ended with the application of the statute of limitations due to the passage of time.

250. In turn, it considered that, although the investigation was not a complex matter, the multiplicity of defendants and the different petitions that they made to the administration of justice had an unquestionable impact on the passage of time without the criminal trial for the death of Marcela Brenda Iglesias. It also noted that the judicial authorities had not adopted measures to prevent the diversity of appeals from leading to a delay in the process that would culminate in its statute of limitations due to the passage of time.

251. Likewise, the Commission found that the appeals filed at various levels by the defendants in succession, as well as the time taken by the administration of justice to resolve them and return the case, prevented the aforementioned trial from being held on several occasions. Therefore, the Commission considered that this lack of conduct of the process to bring it to a conclusion with a trial decision implied a violation of the due process rights and judicial protection of the Iglesias Ribaldo family. In this sense, it determined that the State is responsible for the violation of the rights to due process and judicial protection.

252. Based on the findings of fact and law, the Inter-American Commission concluded that the State of Argentina is responsible for the violation of the rights to life, humane treatment and protection of children established in Articles 4, 5 and 19 of the American Convention in relation to Article 1(1) of the same instrument, to the detriment of Marcela Brenda Iglesias. Likewise, that the State of Argentina is responsible for the violation of the rights to due process and judicial protection set forth in Articles 8 and 25 of the American Convention, in relation to Article 1(1) of the same instrument, to the detriment of Eduardo Iglesias and Nora Esther Ribaudo.

- **Leonela Zelaya vs. Honduras.**

253. The case refers to the international responsibility of the Honduran State for the death of Leonela Zelaya, who was a trans woman, and for the situation of impunity of the facts.

254. Leonela Zelaya was born in the department of Cortés and was registered at birth as Oscar Zelaya. She attended only elementary school and grew up in an environment of violence and discrimination by her family members because of her gender identity. According to the petitioner, Leonela was diagnosed with HIV in the early 1990s.

255. At the time of the facts, Leonela was 34 years old, she was a sex worker and lived with Talía Rodríguez in a room in the city of Tegucigalpa. Talía said that Leonela was like her sister, they shared festivities and celebrations together, and gave each other emotional and economic support.

256. According to the petitioner, on August 15, 2004, Leonela Zelaya was beaten with truncheons and pistol butts by agents of the Preventive Police of Police Station Number 4 of Comayagüela. The petitioner reported that as a result of this aggression, Leonela had bruises and swelling on her legs, face, back and arms, fever and headache.

257. Talía Rodríguez stated that on the night of September 6, 2004, she went out to work with Leonela and that, although she asked her to return home together, she indicated that she would "wait a little longer". Around 5:00 a.m. the following day, Leonela's body was found on a public street in the city of Comayagüela, by a woman selling candy in the area.

258. On September 7, 2004 at 6:45am, the prosecutor of the Public Prosecutor's Office performed the removal of the body. The coroner concluded that Leonela was killed by a knife. Her identity was recorded as "a male person whose name is unknown (Homosexual)".

259. The death was registered at the center for the reception of complaints at the General Directorate of Criminal Investigation (DGIC) on September 8, 2004 under file number 963-04 to the detriment of "unknown victim". On September 20 of the same year, an order was issued requesting an investigation for the crime of homicide. However, the petitioner indicated that the authorities did not take any steps to identify witnesses or gather any other type of evidence at the scene of the facts in order to determine the cause, manner and time of the events. In fact, the Commission did not have any documentation on the performance of procedural steps or acts between that date and January 2017

260. On August 28, 2019, the State told the Commission that the Secretary of State's Office conducted an investigation and determined that the person responsible for the homicide was Luis Alberto Sosa Ardón and that the motive was an attempted robbery. It also informed that Mr. Ardón died in 2007.

261. In its Merits Report No. 450/21, the Commission considered that the nature and conditions in which the body of Leonela Zelaya was found, and the additional evidence that emerges from the context of violence in which the events occurred, allows characterizing what happened as a murder based on prejudice regarding gender identity and expression as a trans woman and, therefore, a transfemicide. In particular, the Commission noted that the judicial file of the case contained a photograph showing that the victim's body was found with her chest uncovered, which could be indicative of sexual violence, despite the fact that there is no information on the respective analyses carried out to rule out the possibility that Leonela Zelaya was a victim

of sexual violence. Likewise, the Commission observed that Leonela Zelaya was killed with a knife and that her body was found in the street; elements consistent with the findings of the IACHR in relation to how most hate crimes are committed against trans women, on several occasions in situations related to sex work, as in the present case.

262. It also warned that the Honduran State was aware of the existence of the context of historical discrimination against LGBTI persons, particularly against trans persons and sex workers at the time of Leonela's murder. This context has also been known by the Court in the case of *Vicky Hernandez v. Honduras*. Despite this, the State did not adopt measures to confront it and prevent its continuation. On the contrary, from the information provided, the Commission highlighted that, on at least one occasion, Leonela was the victim of aggressions by State agents, in such a way that her death, in addition to having developed in a situation of great vulnerability and exposure to risk created by the State itself, even suggests the possible participation of State agents, which was not disproved in the internal investigation.

263. In this sense, the Commission concluded that the State is responsible for the violation of the rights to life, personal integrity, privacy, honor and dignity, freedom of expression, equality and non-discrimination, as well as the right to live free from violence.

264. With respect to the criminal investigation, the IACHR observed that the State did not design or implement logical lines of investigation derived from the evidence and context surrounding the facts of the case, following only the line of investigation consisting of the hypothesis that the homicide of Leonela Zelaya was the result of an argument or confrontation with an unknown civilian and completely omitting from the investigation the analysis of the multiple elements that indicated that the act could be framed within the concept of hate crime and the possible participation of state agents.

265. In addition, it considered that the internal investigative process was deficient and the evidentiary activity was minimal. In particular, the IACHR observed that, in the notes of the investigation of the case contained in the judicial file, it was stated that the body found was "supposedly called Leonela". The Commission considered that this shows that the authorities who carried out the removal of the body were aware of its identity from the moment the first steps were taken. However, this information was not recorded in any of the reports of the removal of the body, nor in the record of the complaint. Instead, Leonela was registered as an "unknown person", which resulted in a serious omission in the State's due diligence activities, and reinforces gender stereotypes.

266. In relation to the reasonable time period, the Commission observed that more than 17 years had passed since the investigation into Leonela's death without any steps having been taken to clarify the facts and punish the persons responsible, and even that the State acknowledged that the case file had been lost for more than a decade. The Commission considered that from the available information it is evident that the State has not complied with its duty to investigate with due diligence and within a reasonable period of time.

267. Consequently, the IACHR concluded that the State is responsible for the violation of the rights to judicial guarantees, to equality and non-discrimination, and to judicial protection.

268. Finally, taking into account that the concept of family should not be restricted exclusively to the nuclear family, and that in particular those who are part of the trans community, due to the factors of economic and social vulnerability to which they are exposed, build community networks and bonds of friendship, sisterhood, economic support and creation of forms of common lives, the Commission recognized Talía Rodríguez as a relative of Leonela Zelaya. In this sense, it held that the State is responsible for the violation of the right to personal integrity to the detriment of Talía Rodríguez due to the loss of her loved one, the seriousness of the events that occurred, in addition to the lack of clarification and adequate and timely judicial response.

269. Based on the findings of fact and law of the report, the Inter-American Commission concluded that the State is responsible for the violation of the rights to life, personal integrity, judicial guarantees, honor

and dignity, freedom of expression, equality and non-discrimination, and judicial protection established in Articles 4.1, 5.1, 8.1, 11, 13, 24 and 25.1 of the American Convention, in relation to Article 1.1 of the same instrument; and Article 7 of the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, to the detriment of Leonela Zelaya and Talía Rodríguez.

- **Héctor René Reyes Pérez and family v. Guatemala.**

270. The case refers to the international responsibility of the State of Guatemala for the violation of the rights to life, personal integrity, personal liberty, judicial guarantees and judicial protection due to the disappearance of Mr. Reyes Pérez in September 2003.

271. At the time of his disappearance, Mr. Reyes Pérez was 52 years old and had been working since 1995 as general manager of the Nueva Linda farm located in the town of Retalhuleu, where he lived with his wife and 6 children. Mr. Reyes Pérez was also a member of a peasant organization called "Mayas sin Tierra", in the framework of which he had been awarded a plot of land for cultivation and housing on the Montecristo farm, in response to which he decided to request his dismissal from the Nueva Linda farm and the respective labor indemnity from his employer, Mr. Carlos Vidal Fernández Alejos.

272. Mrs. Floridalma Toledo Chávez, wife of Mr. Reyes Pérez, stated that on September 5, 2003, at 4:00 a.m., a security guard named Víctor de Jesús Chinchilla Morales went to her home and left with her husband in a vehicle owned by the Nueva Linda farm to leave fertilizer at the San Miguel Mapán farm located in Santa Lucia Cotzumalguapa. Since then, the whereabouts of Mr. Reyes Pérez are unknown.

273. On September 6, 2003, Mrs. Toledo Chávez reported the disappearance of her husband to the citizen's attention office of the Retalhuleu substation of the National Civil Police, and on September 8, she ratified the complaint before the District Prosecutor's Office of Retalhuleu. On September 24, 2003, Mrs. Toledo Chávez gave a new statement in which she expressed her suspicions regarding Mr. Chinchilla Morales and Mr. Vidal Fernández Alejos, owner of the Nueva Linda farm.

274. Based on the facts of this case, the national authorities carried out several investigations, including i) an investigation by the District Prosecutor's Office of Retalhuleu since September 2003; ii) an investigation by the Special Prosecutor's Office for Human Rights of the Public Ministry since November 2003; iii) an investigation by the District Prosecutor's Office of Coatepeque since May 2004 and iv) an investigation by a Special Prosecutor appointed by the Attorney General of the Republic on December 2, 2004.

275. The State carried out a series of diligences as part of the investigation. A luminol test was carried out on the vehicle in which Mr. Reyes Pérez was last seen, resulting positive for blood stains inside the cab, and interviews were taken from the wife of Mr. Reyes Pérez and leaders of the Coordinadora de Comunidades Indígenas y Campesinas Sur Occidente, who held Mr. Vidal Fernández Alejos and Mr. Chinchilla Morales responsible for the disappearance. Also, the exhumation of a body buried in Finca Santa Clara Las Arenas and of unidentified bodies buried in the General Cemetery of Santa Lucía Cotzumalguapa was carried out, concluding that none of them corresponded to that of Mr. Reyes Pérez. At the date of approval of the report, the investigation remained open without having been able to identify and punish those responsible or locate the remains of Mr. Reyes Pérez.

276. In addition, in the Peace Court of the Municipality of La Gomera, Department of Escuintla, a proceeding was initiated on September 20, 2003 for the presence of a male corpse located on the beach of the Pacific Ocean, at the mouth of the Coyolate River. According to the visual inspection report, the body had no identification and had several holes from firearm projectiles in different parts of the body. The body was buried in the General Cemetery of Santa Lucía Cotzumalguapa and the case was filed on March 18, 2004, without any other steps being taken to facilitate the identification of the body.

277. The Assistant Prosecutor of the Special Prosecutor's Office that heard the case stated that there were many similarities between the body found in the Coyolate River and buried in the General Cemetery



of Santa Lucía Cotzumalguapa with the existing data on Mr. Reyes Pérez. He also stated that it was not possible to find the photographs of the body in the archives of the Criminal Investigation Service of the National Civil Police of Escuintla, even though they were registered, and that it was very difficult to search for the body because "the notebook of the administrator of the cemetery of Santa Lucía Cotzumalguapa, which was used to keep the registry of the persons buried, only contained blank spaces for the period from August to November of two thousand three".

278. In its Merits Report No. 398/21, the Commission considered that, from an overall analysis of the manner in which the investigation has been conducted, it can be concluded that it has been characterized by the lack of immediate adoption of timely and effective evidentiary measures, as well as by the existence of numerous negligence and irregularities. The Commission noted that, for many moments, the investigation lacked a comprehensive strategy that would allow an effective search for the whereabouts of Mr. Reyes Pérez and the identification and punishment of those responsible for his disappearance.

279. Likewise, the IACHR verified that the constant changes in the conduct of the investigation and the long periods of inactivity that occurred between each transition from one prosecutor's office to another harmed the progress of the investigations. In particular, it highlighted the delays that occurred when ended the intervention of the Special Prosecutor and the case returned to the District Prosecutor's Office of Retalhuleu, where the case was assigned for three months without the prosecutor's knowledge. Likewise, the overlapping of investigative bodies and the lack of coordination between them caused some proceedings to be repeated on several occasions, such as the taking of Mrs. Toledo Chávez's testimony, increasing the risk of causing her a revictimizing situation.

280. The Commission also noted that the officials of the Public Prosecutor's Office in charge of the investigation did not take appropriate measures to determine whether the body of Mr. Reyes Pérez had been located in other jurisdictions and buried as an unidentified person. Reyes Pérez had been located in other jurisdictions and buried as an unidentified person and highlighted the informality existing in the General Cemetery of Santa Lucía Cotzumalguapa during those months regarding the records of burials of unidentified corpses and the lack of measures to try to correct such omissions, which made the forensic investigation tasks in the cemetery and the successive exhumations of corpses very difficult.

281. All of these circumstances engaged the international responsibility of the Guatemalan State for the violation of the duty to investigate the facts with due diligence and explain to a large extent the failure to clarify the fate of the victim. In this sense, the Commission concluded that the State is responsible for the failure to comply with its obligation to investigate, prosecute and punish, within a reasonable time and with due diligence, the disappearance of the victim and is therefore responsible for the violation of the rights to judicial guarantees and judicial protection.

282. The IACHR also found that the State knew from the first hours of Mr. Reyes Pérez's disappearance that he was at risk, that the very nature and seriousness of the facts reported by Mrs. Toledo Chávez could reasonably lead to the conclusion that Mr. Reyes Pérez was in danger of his life, and that the authorities in charge of the investigation did not act diligently during the first days of the disappearance or throughout the entire process. In this sense, the Court determined that the State is responsible for having violated its duty to protect the rights to life, liberty and personal integrity of Mr. Reyes Pérez.

283. Finally, the Commission considered that the disappearance of Mr. Reyes Pérez has generated a deep sense of pain, anguish and uncertainty in his next of kin, who have appealed to various authorities and have undertaken multiple judicial and extrajudicial search actions that have proved fruitless; feelings that have deepened due to the lack of an effective and diligent investigation. Likewise, the Commission emphasized that - as a result of the multiple changes in the conduct of the investigation and the lack of coordination among the investigators - the wife of Mr. Reyes Pérez has been called to testify on numerous occasions, a circumstance that has undoubtedly generated feelings of revictimization and anguish. Accordingly, the Commission considered that the State violated the right to humane treatment to the detriment of the next of kin.

284. Based on the findings of fact and law in the report, the Inter-American Commission concluded that the Republic of Guatemala is responsible for the violation of the rights to life, humane treatment, personal liberty, fair trial and judicial protection enshrined in Articles 4, 5(1), 7, 8(1) and 25(1) of the American Convention on Human Rights, respectively, in relation to Article 1(1) of the same instrument. Likewise, the Commission concluded that the State is internationally responsible for the violation of the right to humane treatment enshrined in Article 5(1) of the American Convention with respect to the wife of Mr. Reyes Pérez and their six children mentioned in paragraph 63 of the report.

- **Julio Haron Ygarza et al. v. Venezuela.**

285. The case refers to the international responsibility of the Venezuelan State to the detriment of Norma Estela Guarulla Garrido, Julio Haron Ygarza and Romel Edgardo Guzamana for the violation of their right to be tried without undue delay and of their political rights, after having been elected as deputies to the National Assembly.

286. On December 6, 2015, elections Venezuela held election for deputies for the 2016-2021 constitutional term. The voting results, published on the official website of the National Electoral Council (CNE), showed the election of a total of 167 deputies, of which 109 belonged to the political organization "Mesa de la Unidad Democrática" (Democratic Unity Roundtable), in opposition to the government, 55 to the ruling political party "Partido Socialista Unido de Venezuela" (United Socialist Party of Venezuela), and 3 to indigenous representation.

287. This distribution not only granted an important parliamentary majority to the government opposition but also allowed the elected deputies of the opposition and those elected for the seats of indigenous representation to reach the qualified majority of two thirds of the deputies of the National Assembly established by the Constitution for the exercise of certain constitutional powers. In the voting, Norma Estela Guarulla Garrido and Julio Haron Ygarza were elected for the state of Amazonas, both belonging to the political organization Mesa de la Unidad Democrática, as well as Romel Edgardo Guzamana as main deputy for the indigenous representation for the Southern Region.

288. Each of the candidates was proclaimed as such by the CNE as indicated in the Organic Law of Electoral Processes, and, on December 8, 2015, they were issued the corresponding credential. On the same date, in addition, they began to enjoy parliamentary immunity within the framework of the provisions of Article 200 of the Constitution of the Venezuelan State.

289. On December 29, 2015, former candidate Nicia Marina Maldonado Maldonado, filed a brief of electoral litigation appeal before the Electoral Chamber of the Supreme Court of Justice (TSJ), together with a request for precautionary measure for the protection of constitutional rights and a measure of suspension of effects against the voting act held in the electoral circuit of the state of Amazonas. The appellant questioned the validity of the voting act of the parliamentary elections, "for being vitiated of ABSOLUTE NULLITY, being the product of the manipulation of the free and secret voting of the voters of the State of Amazonas and that as a whole constitutes a structural and massive fraud that affects the Venezuelan electoral system".

290. On January 4, 2016, the day before the installation session of the new National Assembly, the Electoral Chamber published on the website of the TSJ Decision No. 260 dated December 30, 2015, by which it declared itself competent to hear and decide the electoral litigation appeal together with a request for precautionary action for the protection of constitutional rights and declared it to be admissible. Consequently, the Chamber ordered "provisionally and immediately the suspension of the effects of the acts of totalization, adjudication and proclamation issued by the subordinate bodies of the National Electoral Council with respect to the candidates elected by uninominal vote, list vote and indigenous representation in the electoral process held on December 6, 2015 in the state of Amazonas for the election of deputies to the National Assembly".

291. Despite the notification of Decision No. 260, the National Assembly swore in the victims as deputies on January 6, 2016. This act motivated that on January 11, 2016, the Electoral Chamber declared the



Board of Directors of the National Assembly and the victims in contempt. By means of the same resolution, the Electoral Chamber ordered the National Assembly to leave without effect the act of swearing in the victims and to proceed to their immediate disincorporation. Furthermore, the Electoral Chamber added that, as long as the incorporation of the victims as deputies of the Assembly is maintained, all acts issued and issued by said institution would be considered absolutely null and void.

292. The victims filed an opposition against the precautionary measure declared admissible by the Electoral Chamber through its Decision No. 260. In accordance with the deadlines established by the Organic Law of the TSJ, the Electoral Chamber should have issued a decision on the opposition to the precautionary measure no later than January 26, 2016, but failed to do so.

293. Regarding the merits of the electoral litigation appeal, on February 25, 2016, the Electoral Chamber opened the case for the submission of evidence and should have set the opportunity for the oral hearings on April 7, 2016 at the latest. However, this did not happen either, therefore the electoral litigation proceeding has been paralyzed at least until October 15, 2020, a situation that has been replicated with the precautionary measure ordered within its framework.

294. In its Admissibility and Merits Report No. 407/21, the Commission noted that the victims were unable to assume the positions to which they were elected based on the proceeding promoted in December 2015 and which remains unfinished to date. Based on this, the IACHR evaluated the duration of the electoral proceeding in light of the elements of reasonable time and its impact on the political rights of the victims.

295. With respect to the complexity of the case, it was considered that the inherent characteristics of the electoral litigation appeal, as well as those present in the case, demonstrate that it was not of notable complexity. In particular, the Commission noted that elements such as the complexity of the evidence presented in the proceeding, the plurality of the procedural parties or the number of victims, the time elapsed since the infringement heard by the Court, the particularities of the proceeding regulated in the internal regulations of the State or the very context in which the facts took place, do not clearly demonstrate that the appeal to be resolved by the Electoral Chamber involved a high level of complexity to the point of requiring more than 4 years to be decided.

296. Regarding the procedural activity of the interested party, the Commission noted that the petitioner claimed not to have incurred in any dilatory conduct in the proceedings and that, from the information in the file, it does not appear, for example, that the victims have filed a variety of appeals in the proceeding that could justify a certain delay in it, or that it has been engaged in obstructive procedural conduct.

297. With regard to the conduct of the judicial authorities, it was noted that, according to the provisions of the Organic Law of the TSJ, as well as the arguments of the petitioner, the Electoral Chamber had exceeded all the deadlines set for conducting the measures necessary for the development of the proceedings. Specifically, the Electoral Chamber did not rule within the legal time limit on the brief opposing the precautionary measure filed by the victims, nor did it set a date for oral arguments within the time limit provided for by the Organic Law.

298. With respect to the effects on the legal situation of the person involved in the proceeding, the IACHR noted that the delay in the actions of the Electoral Chamber has been seriously affecting the rights of the victims, who, despite having been elected as deputies, have been prevented from joining the National Assembly due to the effects of the precautionary protection granted by the Electoral Chamber. In this regard, it stressed that, in the two opportunities in which the Assembly decided to swear in the elected and proclaimed deputies, the TSJ declared this legislative body in contempt in order to block any possibility for the victims to occupy their positions, which simultaneously meant a limitation to the exercise of the constitutional mandate of the Assembly.

299. In view of these considerations, the IACHR considered that the duration of the electoral proceeding that prevented the victims from finally taking office was contrary to judicial guarantees and judicial

protection, also impacting both the right to active and passive vote and, ultimately, affecting the right of the victims to hold office.

300. Based on the findings of fact and law, the Inter-American Commission concluded that the State of Venezuela is responsible for the violation of the rights to judicial guarantees and judicial protection protected by Articles 8(1) and 25(1) of the American Convention on Human Rights, and of the political rights contained in Article 23(1) of the same treaty, in relation to Article 1(1) of the American Convention, to the detriment of Julio Haron Ygarza, Nirma Estela Guarulla Garrido and Romel Edgardo Guzamana.

- **José Segundo Zambrano and Pablo Marcelo Rodríguez vs. Argentina.**

301. This case concerns the international responsibility of the Argentine State for the forced disappearance and subsequent execution of José Segundo Zambrano and Pablo Marcelo Rodríguez.

302. At the time of the facts, José Segundo Zambrano and Pablo Marcelo Rodríguez were 28 and 25 years old respectively and were friends. There are several statements in the case concerning Mr. Zambrano's relationship with police officers. In particular, several witnesses indicated that he was in contact with members of the Mendoza Police.

303. Stella Maris, mother of Mr. Zambrano, stated that on March 25, 2000, in the morning hours, he left her house in a blue Peugeot 205, informing her that he was going to the Automobile Section of the Police Investigations Department. In turn, Sonia Veronica Fernandez, Pablo Rodríguez's wife, indicated that he left his house around 12:30 pm in the company of José Zambrano. That was the last day they were seen alive by their relatives.

304. The bodies of the victims were found on July 3, 2000, half-buried in the foothills of the department of Godoy Cruz, a few kilometers from the center of Mendoza. The necroscopic report determined that the victims died from bullet wounds. Although according to the prosecutor's investigation the murders allegedly occurred on the same day of their disappearance, according to forensic reports of July 18, 2000 and May 2004, the death allegedly occurred between April 5 and 6, 2000.

305. According to what is stated in the brief for elevation to trial, on March 25, 2000, the victims, accompanied by an individual identified as Mario Díaz, and on board a blue Peugeot car, arrived at the Los Barrancos racetrack in the foothills of the department of Godoy Cruz. Mr. Díaz allegedly guided them to that place on the instructions of police officer Felipe Gil, who was waiting for them at the racetrack in the company of four other people. Mr. Gil approached the left window of the vehicle and shot José Zambrano, who was in the driver's seat, in the head, while two other people shot Pablo Rodríguez, who tried to flee and was hit in the abdomen and head. The Public Prosecutor's Office qualified the facts as double homicide with the involvement and premeditated joinder of more than two persons. For his part, Mr. Díaz made several statements in which he maintained that there was police participation in the facts.

306. The case file shows that the victims' next of kin filed two habeas corpus petitions on June 1, 2000, before the Ninth Preliminary Examining Court in connection with the facts of this case. According to the information provided by the petitioner, two files were established as a result of these habeas corpus; however, both petitions were rejected because the police authorities reported that neither Zambrano nor Rodríguez were being held in police custody.

307. Also, on March 29, 2000, a report of the disappearance of the two victims was filed with the police authorities, giving rise to the file "Av. Paradero" in the Fourth Examining Court of the First Judicial District. On May 11, 2004, the Seventh Criminal Court issued Ruling No. 987, by which it acquitted the two defendants, Mario Díaz Rivero and Felipe Gil Fernández "as the degree of absolute certainty required for this procedural stage had not been reached". The chamber pointed out, in particular, that Mr. Díaz's right not to testify against himself had been violated, which constituted a violation of Article 296 of the Code of Criminal Procedure.

308. In spite of the above, the Court pointed out the existence of elements that “contribute to the positive suspicion that both the accused Diaz and the accused Gil are not alien to the facts that they are accused of”. Stella Maris Loria and Elsa Colucci filed an appeal for cassation as private plaintiffs. On December 16, 2004, the Supreme Court of Mendoza rejected the appeal.

309. In its Admissibility and Merits Report No. 330/22, the Commission considered that in the face of the indications according to which State agents had participated in the facts related to the disappearance and death of the victims, the State did not provide an alternative hypothesis based on a diligent and effective investigation. In this regard, it held that this gives probative force to the evidence of the participation of State agents, in the absence of clarification and investigation. In this sense, the Commission considered that the legal qualification that corresponds to the facts is that of a forced disappearance that ceased with the execution of the victims.

310. In this regard, the IACHR noted that the elements of forced disappearance of persons were established since the victims were deprived of their liberty on March 25, 2000, and continued until their remains were found on July 3, 2000. It emphasized that, during this period of time, there was a refusal to recognize their whereabouts, which was evidenced by the deficient response and ineffectiveness of the appeals and complaints filed. In addition, it considered it relevant to recall that, according to a newspaper article offered as evidence, the public authorities of Mendoza had allegedly characterized José Zambrano and Pablo Rodríguez as fugitives, and not as missing. In light of this, it concluded that the Argentine State is responsible for the violation of the rights to recognition as a person before the law, to life, to personal integrity and to personal liberty.

311. With respect to the investigation of the facts, the Commission considered, first, that the omission to carry out a search for 48 hours after the State became aware of the serious and imminent risk in which the victims could find themselves through the first report of disappearance, constitutes, in itself, a breach of the duty to investigate with due diligence. Likewise, the Commission observed that, as the State itself acknowledged, there was a lack of diligence in the investigation carried out by the Fourth Examining Court, which led to the annulment of the testimony given by the main witness, and according to which the prosecutor’s hypothesis was sustained. The Commission emphasized that these faults in the proceeding resulted in the acquittal of two of the accused, one of them a police officer, and that a new investigation of the facts as ordered by the court was not carried out.

312. In addition, the IACHR noted that another component of the failure to comply with the duty of due diligence in the present case is related to the lack of follow-up of logical lines of investigation, a situation that, according to Inter-American standards, is particularly serious in the case of a hypothesis that involved State agents.

313. With regard to the duration of the proceedings, the Commission found that more than 22 years had passed since the facts occurred and that, despite an express order from the Seventh Criminal Court to resume the investigations of the case, the State has not, according to the information available, taken any additional steps, and the proceedings have stalled without any substantive action since 2004. For these reasons, the Commission concluded that the State violated the rights to judicial guarantees and judicial protection.

314. Finally, it concluded that the State violated the right to psychological and moral integrity of the victims’ next of kin.

315. Based on the findings of fact and law in the report, the Inter-American Commission concluded that the State is responsible for the violation of the rights to recognition as a person before the law, to life, to humane treatment, to personal liberty, to fair trial and to judicial protection enshrined in Articles 3, 4(1), 5(1), 7(1), 8(1) and 25(1), in relation to Article 1(1) of the same instrument, to the detriment of José Segundo Zambrano and Pablo Marcelo Rodríguez. The Commission also concluded that the State is responsible for the violation of Articles I(a) and (b) of the Inter-American Convention on Forced Disappearance of Persons.

- **Aldo Zuccolillo Moscarda vs Paraguay.**

316. This case concerns the international responsibility of Paraguay for violations of the right to freedom of expression, the principle of legality and judicial guarantees to the detriment of Aldo Zuccolillo Moscarda.

317. Aldo Zuccolillo Moscarda was director of the newspaper “ABC Color”, a newspaper of large circulation in Paraguay, founded by himself in August 1967. He was a renowned journalist in Paraguay and internationally; he held executive positions in the Inter-American Press Association, as well as in other professional associations committed to journalistic activity.

318. On December 24, 1998, Juan Carlos Galaverna, a Paraguayan politician and former senator of the Republic, filed a criminal complaint against the newspaper “ABC Color” and Mr. Zuccolillo Moscarda, for the crimes of slander, defamation and libel, before Criminal Court No. 7 of the city of Asunción. In his filing he claimed that the newspaper “ABC Color” had published at least 15 “manipulative, lying, distorted and biased” publications. In support of his claim, the plaintiff attached various clippings from publications of the newspaper “ABC Color” which, he argued, were intended to discredit and ridicule him.

319. On April 30, 2001, the judge in charge of Criminal Settlement and Sentencing Court No. 7 sentenced Aldo Zuccolillo Moscarda, as editor of the newspaper “ABC Color”, for the crimes of defamation, slander and libel to the maximum non-custodial sanction established in the Paraguayan Criminal Code: 360 days-fine. On May 16, 2001, an appeal was filed against this decision.

320. On February 11, 2002, the First Chamber of the Court of Criminal Appeals modified the final judgment of first instance, since it considered that the facts could not be subsumed within the criminal types of slander and libel, but constituted the crime of defamation, this being an “aggravated species of the genus libel”. On the other hand, it was decided to increase the amount of the fine, due to the fact that “the offense investigated and judged was materialized through an organ of the written press of wide circulation, a vehicle that has a powerful influence as a generator of public opinion [...] therefore the pernicious effect inferred by the punishable act and the unlawful conduct is greater”.

321. The plaintiff Galaverna filed an extraordinary appeal for cassation, through which he requested that the sentence issued by the Court of Criminal Appeals be annulled, and that Mr. Zuccolillo be sentenced to a prison sentence, to pay the penalty of composition, and that he be obliged to publish the sentence. At the same time, he filed an action of unconstitutionality before the Supreme Court of Justice.

322. For his part, on February 22, 2002, Mr. Zuccolillo filed an action of unconstitutionality before the Supreme Court of Justice of Paraguay against the decision issued by the Court of Criminal Settlement and Sentencing No. 7 and that issued by the First Chamber of the Court of Appeals. In his brief he alleged the violation of the rights to defense, due process of law, freedom of expression and thought and requested his acquittal. Likewise, he indicated in the unconstitutionality appeal that one of the violations was the determination of the sum of the fine without the expression, reasonable and founded, of the parameters to determine Mr. Zuccolillo’s income.

323. On December 28, 2005, the Supreme Court decided not to uphold the unconstitutionality action filed by the parties. However, with respect to the extraordinary appeal for cassation filed by the plaintiff, on December 28, 2005, by majority, it declared it admissible and qualified the facts attributed to Mr. Zuccolillo again as constituting the crimes of slander, defamation and libel, despite the fact that the Court of Appeals had classified them only as defamation. In this regard, the Supreme Court concluded that Mr. Zuccolillo had engaged in conduct that evidently met the elements to qualify as slanderous and that he had performed acts to injure Mr. Galaverna’s honor, since he had repeatedly disseminated false writings over a prolonged period of time. By decision of the majority, the Court imposed on Mr. Zuccolillo the additional penalty of composition, for which he was ordered to pay in total the sum of two hundred and ninety-five thousand six hundred and eighty-seven dollars.

324. In its Merits Report No. 398/22, the Commission considered that the criticisms made by Mr. Zuccolillo referred to issues of obvious public interest, since they pointed out possible acts of corruption of a senator of the Republic of Paraguay, and therefore his expressions were protected in a special way, being of high importance in the framework of a democratic society, and therefore criminal law was not applicable, since it is contrary to the American Convention to protect the honor of public officials by framing them in conducts typified by criminal law.

325. It also noted that the criminal definitions of defamation, slander and libel contained precepts that did not provide the necessary clarity with respect to the conduct that could constitute an act contrary to the Criminal Code. Thus, the Commission pointed out that expressions such as *“to affirm or divulge...a fact referring to another, capable of injuring his honor...”* implies a broad range of conducts that is neither precise nor clear, in contravention of the requirement of maximum clarity pursued by the requirement of legality. The Commission also emphasized that statements such as *“expressing a negative value judgment to another or to a third party with respect to the former...”* are too broad and can cover a multiplicity of expressions and activities, which is contrary to the precision and exhaustivity that restrictions to freedom of expression must observe, especially if it is taken into account that restrictions to freedom of expression were contained in criminal legislation, the greatest manifestation of the punitive power of the State.

326. For these reasons, the IACHR concluded that, although the crimes of slander, defamation and libel were previously established in the Paraguayan Criminal Code, the ambiguity and breadth of the cited articles imply a breach of the requirement of strict legality in the imposition of restrictions on the right to freedom of expression.

327. Similarly, the Commission considered that the sanction imposed on Mr. Zuccolillo constituted an undue restriction on his right to freedom of expression, as it failed to comply with the criteria of legality, necessity and proportionality, in addition to inhibiting democratic debate and citizen control over public officials on matters of public interest.

328. Additionally, it noted that in the judicial decisions issued against Mr. Zuccolillo, it was pointed out that the last conduct charged had taken place on January 5, 1999; while the penalty of composition was incorporated into Paraguayan criminal law on November 28, 1998, so that only one publication reported would fall within the period in which the additional penalty of composition would already be in force. In this sense, the IACHR considered that the Supreme Court of Paraguay made a retroactive application of criminal law, sentencing Mr. Aldo Zuccolillo to the additional penalty of composition, with respect to facts that had taken place prior to the entry into force of the legislation establishing such penalty. Therefore, it concluded that Paraguay violated the principle of legality and non-retroactivity of criminal law.

329. Finally, the Commission considered it proven that the State of Paraguay violated the reasonable time limit, taking into account that the entire criminal proceeding lasted from 1998 to 2005, without the State having been able to justify such a long period of time, as well as the violation of the duty to give reasons for a judgment due to the lack of clarity regarding the reasons on the basis of which the amount of the pecuniary penalty imposed on Mr. Zuccolillo was determined.

330. Based on the considerations of fact and law contained in the report, the IACHR concluded that the State of Paraguay violated the rights recognized in Articles 13 (freedom of thought and expression), in relation to Article 8 (right to a fair trial) and 9 (freedom from ex post facto law) of the American Convention; all of these, in relation to Articles 1(1) (obligation to respect rights) and 2 (domestic legal effects) of said instrument, to the detriment of Mr. Aldo Zuccolillo.

- **Ángel Eduardo Gahona López vs. Nicaragua.**

331. The case refers to the international responsibility of the Nicaraguan State for the extrajudicial execution of journalist Ángel Eduardo Gahona López by State agents, as well as for the situation of impunity in which such acts remain.



332. The present case is framed in the context of serious human rights violations that occurred during the mass protests that began in mid-April 2018 and expanded throughout the country in the following months.

333. At the time of the events, Mr. Gahona López was 42 years old, a journalist by profession and director of the independent news program “El Meridiano”. In mid-April 2018, young environmentalists carried out protests as a consequence of the measures taken by the State to address the severe forest fire that affected the Indio-Maíz Biological Reserve. Days later, massive protests began throughout Nicaragua against the approval of proposed reforms to the Social Security Law. Although the Government withdrew the reform proposal a few days later, the protests continued and extended to other demands.

334. On April 21, 2018, a demonstration took place in the city of Bluefields, which turned violent in the afternoon hours. Several journalists went to cover the events, including Ángel Gahona and Engels Downs. Around 18:00 hours, a confrontation between a group of youths and a group of riot police in front of the judicial complex took place. Engels Downs, together with Mr. Gahona crossed from Reyes Park to the mayor’s office, while transmitting live in order to record the damage caused. Angel Gahona climbed the stairs of the mayor’s office, a detonation was heard and he fell to the right onto the sidewalk, with a visible wound to his head. According to the videos provided by the petitioner and the testimony of Engels Downs, Neyda Dixon and Jessileth Henríquez, a second detonation was heard seconds later. In other videos, up to two more shots were recorded.

335. Mr. Gahona López was assisted by civilians. Various testimonies provided to the IACHR are consistent in indicating that the National Police did not assist the victim. The victim arrived at the Ernesto Sequeira Blanco hospital with vital signs, dying at 19:00 hours due to irreversible severe cranial encephalic trauma.

336. On May 7, 2018, the Prosecutor in charge charged two individuals, Brandon Lovo and Glen Slate for their responsibility as perpetrators and necessary cooperators of the crime of murder to the detriment of Ángel Gahona, respectively. According to the accusatory thesis the responsibility on the facts corresponded to the two young men, whose intention would have been to shoot at the police, hitting the journalist by mistake. On May 8, 2018, the Judge of the Sixth Criminal District of the Managua District Court admitted the accusation formulated by the prosecutor, ordered the preventive detention of the accused and referred the case to oral trial.

337. On August 14, 2018, the oral trial began. On August 30, 2018, the Titular Judge of the Sixth Criminal District Trial Court Managua District, issued Judgment No.103-2018 by which he considered that it had been proven beyond reasonable doubt that defendants Brandon Lovo and Glen Slate were perpetrator and necessary cooperator of the murder, in addition to other charges related to the injuries caused to officer Anselmo Rodriguez, exposure to danger of the journalists and possession of weapons. Brandon Lovo was sentenced to 20 years and six months in prison, and Glen Slate to 12 years and six months.

338. The State reported that on June 10, 2019, Law No. 996, Amnesty Law, was published, which “granted broad amnesty to all persons who participated in the events that took place throughout the national territory from April 18, 2018 until the date of entry into force. This Amnesty was extended to persons who have been investigated, who are in the process of investigation, in criminal proceedings to determine responsibilities and in execution of sentences.” On June 11, 2019, the Ministry of the Interior of the State issued a press release by which it announced that, in compliance with the provisions of the Amnesty Law, the General Directorate of the National Penitentiary System released 56 people who were being held in prison for crimes against common security and public tranquility. Among those released were Brandon Lovo and Glen Slate.

339. The petitioner complained that since the death of Ángel Gahona, his family members began to be victims of intimidation and threats, which continue to this day.

340. In its Merits Report No. 37/23, the Commission first noted that numerous evidentiary elements point to the fact that the shot that caused the death of Mr. Gahona López came from a State agent and that there are elements of conviction to conclude that the murder was related to his journalistic work, since at that very moment, he was carrying out that work: he was reporting live on the protests organized against the State. The Commission pointed out that this is in addition to the threats he had previously received and the highly relevant public issues that the journalist was investigating.

341. In relation to the use of force by police officers, the IACHR observed that the State did not present information on compliance with the requirements of legitimate purpose, absolute necessity, and proportionality. On the contrary, the Commission remarked that the exercise of journalistic work carried out in the context of a demonstration does not constitute, in any case, a legitimate purpose that justifies the use of force by the security forces. It also indicated that the audiovisual records available to the Commission indicate that the victim did not present any type of danger or threat and that it was up to the State to demonstrate that it adopted the strictly necessary and proportional measures to control any perceived risk to public order or to the rights of individuals.

342. Likewise, it emphasized that the responsibility of the State for the excessive use of force also arises from the omission of the authorities to prevent these violations and that, in the instant case, the State did not present information on how it adequately regulated the use of force, including the participation of anti-riot groups, nor the type of adequate training provided to its different police forces so that they could carry out their work of maintaining public order with due professionalism and respect for human rights, and that there is no evidence that the State has adopted the protection measures that the special risk posed by the exercise of journalistic activity merited.

343. With respect to the investigation into the death of the victim and the subsequent trial and punishment of the alleged perpetrators, the Commission considered that this was not compatible with the rights to judicial guarantees and judicial protection. In particular, it pointed out that the expert opinions in the case were not carried out with due diligence and that the State did not exhaust the lines of investigation linked to the practice of journalism, which implicated State agents as the material authors of Ángel Gahona's death.

344. Additionally, it considered that by issuing Law 966, Amnesty Law, whose purpose was to prevent the investigation, prosecution, capture, prosecution and conviction of the human rights violations perpetrated in the context of the protests, the State violated the articles of the right to judicial guarantees and judicial protection.

345. Finally, the IACHR considered that the loss of their loved one, the absence of justice and truth about what happened, as well as the constant threats have caused deep suffering and anguish to Ángel Gahona's family, in violation of their right to psychological and moral integrity.

346. Based on the findings of fact and law of the report, the Inter-American Commission concluded that the State is responsible for the violation of the rights to life, to a fair trial, to freedom of expression and to judicial protection established in Articles 4(1), 8(1), 13 and 25(1), in relation to Articles 1(1) and 2 of the same instrument, to the detriment of Ángel Gahona. It also concluded that the State violated Article 5(1) of the American Convention, in relation to Article 1(1) of the same instrument, to the detriment of Ángel Gahona's next of kin.

- **Andrés Trujillo et al. v. Bolivarian Republic v. Venezuela.**

347. The case concerns the international responsibility of the Venezuelan State for the illegal repression of a demonstration in April 2002 and the disproportionate use of lethal force by State agents that resulted in the injury of five people and the death of seven people.



348. The Venezuelan Federation of Chambers of Commerce and the Venezuelan Workers' Confederation called for a demonstration on April 11, 2002, as a result of the layoffs made by the then government to employees of the state-owned oil company Petróleos de Venezuela (PDVSA).

349. On April 11, 2002, this demonstration took place, where the victims were present. The demonstration began at the PDVSA headquarters, in the Chuao neighborhood of the city of Caracas, and at around 11:30 a.m. they proceeded along the Francisco Fajardo Highway towards the Miraflores Palace. According to the photographic material in the file before the Commission, dozens of agents of the National Guard were on said highway and launched tear gas towards the demonstrators. The demonstration continued towards the Miraflores Palace and near the "El Silencio" subway station, agents of the National Guard and other unidentified persons fired shots and threw stones at the demonstrators.

350. In this context, according to the information provided by the petitioner, Jhonny Palencia, Juan David Querales and Víctor Emilio Reinoso died and Fernando Joel Sánchez Colmenares was shot in his left arm, which was not disputed by the State. According to the photographic record provided, near the lifeless body of Jhonny Palencia there were National Guard agents carrying firearms, as with Mr. Querales and Mr. Reinoso. The IACHR took note of the statement of the then Chief Inspector of the Directorate of the Preventive Intelligence Services, who acknowledged that, in that area, the National Guard "repelled them with firearms, pistols, sub-machine guns and shotguns".

351. After such events, the demonstrators continued advancing towards the Llaguno Bridge. The Caracas Metropolitan Police placed armored trucks at the "La Pedrera" corner. According to the documentation provided, the state agents threw tear gas bombs, and a confrontation with weapons and stones took place between the authorities, some people who had infiltrated the demonstrations, and other unidentified people who allegedly were part of the "Círculos Bolivarianos" (Bolivarian Circles).

352. According to the audiovisual documentation provided, in that area, Jesús Orlando Arellano was shot in the chest by an unidentified person who was behind a tree, which caused his death. The petitioner also reported that Jesús Mohamad Capote, Orlando Rojas, and José Antonio Gamallo died as a result of gunshot wounds, and that José Antonio Dávila Uzcátegui, Elías Belmonte Torres, and Jean Carlos Serrano were shot and wounded. Likewise, Andrés Trujillo was wounded by firearm in the right inguinal region, was transferred by ambulance and was ordered to undergo surgery and hospitalization.

353. Statements by public agents indicated that in the coordination meetings prior to and during the demonstration, there was coordination with members of the "Bolivarian Circles" to counteract the march. For example, then General Manuel Rosendo explained that in the coordination meetings "the use of the Bolivarian Circles (...) in the areas where the concentrations would take place was highlighted" and that "the Minister of Defense was coordinating via telephone the summoning of the Bolivarian Circles to move towards Miraflores".

354. In view of the events that occurred in the present case, several complaints were filed, including a formal imputation action against the then President of the Republic, the Minister of Defense and the Attorney General of the Republic filed on June 25, 2002, before the Full Chamber of the Superior Court of Justice due to their acts and omissions during the violence of April 11, 2002, which resulted in the death and injuries of the victims. On December 5, 2006, the indictment was extended against four Generals of the National Guard. On July 6, 2006, the Court of Proceedings of the Plenary Chamber of the Superior Court of Justice declared the indictment action inadmissible.

355. An investigation was also initiated against three private individuals who allegedly participated in the violence against the victims. On October 3, 2003, the Court decided to absolve these individuals of criminal responsibility, stating that the defendants "made use of the weapons they were carrying in legitimate self-defense".

356. On August 29, 2005, Mohamad Merhi, in his capacity as President of the Civil Association VIVE, requested access to the files related to the deaths of Jesús Mohamad Capote, Orlando Rojas, Jesús Orlando Arrellano, Johnny Palencia and Juan David Querales. On September 12, 2005, the corresponding Prosecutor's Offices denied such request.

357. In addition, other investigations were initiated before the Public Prosecutor's Office. The State indicated that on June 20, 2007, the Criminal Investigations Division of Regional Command No. 5 reported that, as a result of the events of April 11, 2002, five National Guard officers were charged by the Thirty-ninth Prosecutor's Office of the Public Prosecution Service and that a preliminary hearing was pending. The Commission did not have updated information on the status of the investigations that remain open.

358. In its Merits Report No. 313/23, the Commission considered that in relation to the events that occurred near the "El Silencio" subway station, there is no dispute that State agents used lethal force, and that Jhony Palencia, Juan David Querales and Víctor Emilio Reinoso died as a result of gunshots; and Fernando Joel Sánchez Colmenares was wounded as a result of gunshots.

359. Regarding the events that occurred near the "La Pedrera" area, the IACHR noted the lack of controversy that State agents and the "Bolivarian Circles" used lethal force, and that Jesús Orlando Arellano, Jesús Mohamad Capote, Orlando Rojas and José Antonio Gamallo died as a result of gunfire; and José Antonio Dávila Uzcátegui, Elías Belmonte Torres, Jean Carlos Serrano and Andrés Trujillo were wounded as a result of gunfire. Regarding these events, visual material was observed of State agents and other unidentified persons who were allegedly part of the "Bolivarian Circles" armed and shooting at the demonstrators. In this regard, the Commission considered that there are sufficient elements to determine that the facts of this case attributable to the "Bolivarian Circles" occurred with the collaboration or at least the acquiescence of the Public Force.

360. In view of this situation, the Commission noted that in the instant case the State did not demonstrate that its agents had made a legitimate, necessary and proportionate use of lethal force and concluded that Venezuela is responsible for the violation of the right to life and the right to humane treatment.

361. In relation to the right to assembly, the IACHR noted that the purpose of the demonstration was to protest against the then government's decision to dismiss workers from a company. In this regard, it noted that all the victims, except José Antonio Dávila Uzcátegui who was on the roof of his building, were participating in the demonstration and, consequently, were exercising their right to assembly.

362. In this regard, it pointed out that although during the demonstration some persons who participated or infiltrated the demonstration resorted to violent means, the victims were engaged in peaceful activities, and that the State did not present any documentation to prove that the victims were armed or engaged in any type of attack against the State authorities, nor did it demonstrate the legitimate, necessary and proportionate use of lethal force by its agents against the victims. Therefore, the Commission concluded that the State is responsible for the violation of the right to assembly.

363. In addition, taking into consideration that after more than two decades the facts have not been clarified and no one has been convicted, the IACHR affirmed that to date there is still a situation of impunity for the facts of the case. It also noted that the State has failed to comply with its duty to guarantee an adequate investigation to identify and, if applicable, punish all persons responsible for the death and injuries of the victims in this case. For these reasons, it concluded that the State violated the rights to judicial guarantees and judicial protection.

364. With respect to the guarantee of reasonable time, the Commission found that in the instant case, more than 20 years have passed since the facts occurred without a resolution in the criminal justice system. To date, the facts have not been clarified, and no person has been punished. In this regard, the Commission noted that the State did not allege elements that justify the complexity of the case, that there were various shortcomings and irregularities in the investigation, and that the State did not report on multiple

periods of procedural inactivity. The Commission also noted that there was no information that the victims had in any way obstructed the investigation and emphasized that, given the injuries to the surviving victims, the harm to their physical integrity could constitute an element to be considered to accelerate the investigations in order to clarify what happened. In this sense, the Commission concluded that the State is responsible for the violation of the right to a fair trial.

365. Finally, it considered that the death and injury of a person in a context such as the one described in the instant case, as well as the absence of a complete and effective investigation, which in turn causes suffering and anguish for not knowing the truth, constitutes in itself an infringement of the psychological and moral integrity of the members of the victims' families. Consequently, the Commission concluded that the State violated the right to psychological and moral integrity to the detriment of the members of the victims' families.

366. Based on the considerations of fact and law contained in the report, the Inter-American Commission concluded that the State of Venezuela violated the rights enshrined in Articles 4 (right to life), 5 (right to humane treatment), 8(1) (right to a fair trial), 15 (right to assembly) and 25(1) (right to judicial protection) of the American Convention, in relation to Article 1(1) of said instrument, to the detriment of the persons identified in the various sections of the report.

- **Leandro Héctor Parpaglione et al. vs Argentina.**

367. The case concerns the international responsibility of the Argentine State for violations of the right to appeal a judgment and to judicial protection to the detriment of twelve victims.

368. The petitioners in the instant case were all tried and sentenced to various prison terms in the context of criminal proceedings governed by the rules of the Argentine Code of Criminal Procedure (CPPN) enacted by Law No. 23.984 of August 21, 1991. Pursuant to Section 456 of said Code, an appeal for cassation against a first instance judgment may only "be filed on the following grounds: 1°) Non-observance or erroneous application of the substantive criminal law and 2°) Non-observance of the rules established by this Code under penalty of inadmissibility, lapse or nullity, provided that, with the exception of cases of absolute nullity, the appellant has timely claimed the correction of the defect, if possible, or reserved the right to appeal in cassation". In those cases in which the oral courts of first instance denied the admissibility of the appeal for cassation and the appeal to the National Chamber of Criminal Cassation was not successful, the extraordinary federal appeal to the Supreme Court of the Nation was available, regulated in articles 14 of Law 48 and 6 of Law 4055.

369. In September 2005, the Supreme Court of Justice issued a decision in the case "Casal Matías Eugenio y otros/ robo simple en grado de tentativa" (Casal Matías Eugenio and others/ attempted simple robbery). In this case law precedent, the Supreme Court referred to the restrictive way in which the judges of the lower courts interpreted the scope of the subject matter reviewable by the appeal for cassation and, in particular, with respect to the differentiation between questions of interpretation of the substantive law and questions of facts and evidence. Although the Supreme Court did not declare the unconstitutionality of any rule in the "Casal" decision, said precedent established an interpretative guideline that extends the scope of the subject matter reviewable by appeal for cassation.

370. All of the convictions imposed on the petitioners in this case occurred prior to the Supreme Court's issuance of the "Casal" decision.

371. In its Merits Report No. 96/22, the Commission observed that the normative reforms and jurisprudential changes adopted by the Argentine State were not applicable to the specific situation of the victims in the instant case. In particular, the Commission noted that it has not been demonstrated that the "Casal" judgment is a criterion that has general and binding effects beyond the specific case and that said judgment was subsequent to the proceedings against the victims. Furthermore, the Commission noted that until the enactment of the Federal Code of Criminal Procedure in December 2014 - which to date has not yet

been fully implemented - there were no legal reforms that incorporated the doctrine of the “Casal” ruling into the text of the criminal procedure nor was any provision enacted that extends the effects of the ruling to those proceedings already concluded previously.

372. The IACHR emphasized that, from a reading of the various judgments handed down by the National Criminal Cassation Chamber, it is clear that it applied a restrictive interpretation of Article 456 of the CPPN, which according to its literal wording was not designed to guarantee “factual, evidentiary and legal issues on which the contested judgment is based”. It also highlighted that the prevailing judicial practice at that time that understood the appeal for cassation with this type of limitations explained the decision to reject any review of grievances related to the way in which the evidence was incorporated and assessed by the court of first instance. In this sense, it considered that the decisions adopted by the National Chamber of Criminal Cassation in the proceedings against the victims in this case reflect the fact that they did not have a remedy that would guarantee a comprehensive review of the conviction.

373. In the case of Mr. Alberto Ricciardi, the Commission noted that his defense attorneys, when appealing the conviction before the Chamber of Cassation, argued that the statute of limitations had expired at the time the conviction was handed down and that there had been a violation of the principle of consistency between the indictment and the conviction. In this regard, it noted that, despite the fact that Mr. Ricciardi’s legal representation expressly invoked Article 8(2)(h) of the Convention and that the Oral Court granted the appeal for cassation, the Criminal Cassation Chamber did not enter into the study of the issues raised by the defense, alleging that they lacked sufficient motivation.

374. With respect to the situation of Mr. De Priete, the IACHR noted that the Oral Court denied the appeal for cassation on the grounds that the grievances were related to a discrepancy with the way in which the judges interpreted the facts and applied the law and stated that “the powers of the court with regard to establishing the convincing force of the evidence in the proceedings are not subject to the control of cassation”, which was confirmed by the Chamber of Cassation on the occasion of resolving the appeal of complaint for denial of the appeal for cassation.

375. In the case of Mr. Parpaglione, the Commission noted that the allegations made by his defense in the appeal for cassation were essentially related to a possible error in the way in which the trial court interpreted and applied the substantive law, as well as an alleged arbitrary assessment of the evidence available in the case. The Commission verified that Chamber IV of the National Chamber of Criminal Cassation did not enter into the study of the grievances formulated since, in the opinion of that court, they dealt with questions of fact “not reviewable” in that instance.

376. With regard to the case of Mr. Barraza, the IACHR observed that the victim’s defense went to the Chamber of Cassation alleging an error in the application of the substantive criminal law and, on the other hand, a violation of the rules of sound criticism in the evaluation of the evidence; however, these grievances were not addressed by the Chamber of Cassation.

377. With respect to Messrs. Franco and Roldan, the Commission verified that their counsel also raised a violation of the rules of sound criticism in the judges’ evaluation of the evidence and understood that the judges had reversed the burden of proof; however, both the Oral Court and the Chamber of Cassation itself pointed out that such grievances exceeded the scope of the cassation appeal.

378. Regarding Mr. Grego’s situation, the defense appealed for cassation alleging that an inadequate evidentiary assessment by the trial court had affected the rights of defense in trial and presumption of innocence, but the Court of Cassation decided to consider the appeal as “poorly granted” since from the reading of said brief “it is evident that all the criticisms fall unflinching on questions of fact and evidence whose review is beyond the scope of this extraordinary remedy”.

379. With regard to the case of Mr. Sánchez, the Inter-American Commission noted that his technical defense invoked in all available instances the right to full review of the conviction enshrined in Article

8(2)(h), using a similar argumentation to the one subsequently used by the Supreme Court of Justice in the “Casal” decision. However, the Court of Cassation understood that “all the criticisms inevitably fall into questions of fact and evidence whose review is beyond the scope of this extraordinary remedy” and, consequently, decided to reject the appeal.

380. Regarding Mr. Mutuverría’s claim, the Commission verified that his defense attorney, when filing the appeal for cassation, raised the existence of arbitrariness in the decision on the amount of the sentence imposed due to the assessment of a prior criminal record, as well as alleging the violation of the right to defense in trial, the erroneous application of substantive criminal law and the violation of the rules of sound criticism. The Commission found that, although some aspects of the appeal were duly analyzed and contested by the Oral Court and the Chamber of Cassation, there was no comprehensive review of the conviction, since both courts refused to review the decision on the grounds that they were “points that were outside the scope of the cassation instance”.

381. With regard to Mr. Hidalgo’s situation, his attorney appealed to the Cassation Chamber invoking a discrepancy with the way in which the Oral Court evaluated the testimonial and expert evidence in the case and the decision to classify the reproached conduct as aggravated homicide. The IACHR noted that, despite the fact that the Oral Court had granted the cassation appeal, the Cassation Chamber declared it “poorly granted” because it considered that the allegations of arbitrariness in the sentence “refer to the analysis of questions of fact and evidence outside the scope of cassation proceedings”.

382. The Commission noted, in the case of Mr. Romero, that the official defense counsel invoked at every possible procedural opportunity the right to a full review of the conviction as grounds for accessing the Chamber of Cassation and pointed out that the conviction was invalid because it suffered from arbitrariness in the evaluation of the evidence in light of the rules of sound criticism. The IACHR noted that the Court of Cassation, when declaring the appeal before it inadmissible, considered that the arguments offered by the defense were oriented “to provoke a new critical examination of the evidence on which the sentence was based, which - it is reiterated - is inadmissible in this extraordinary instance”.

383. Finally, with respect to the situation of Mr. Rainieri, the IACHR verified that his defense alleged that there was arbitrariness in the evaluation of the evidence since the witnesses for the prosecution and the victims of the illegal act had not identified his defendant. However, the Oral Court declared the appeal for cassation inadmissible, arguing that the complaints filed “only reflect a mere disagreement with the value assigned by the Court to the evidence”.

384. Finally, the Commission noted that in all the cases in which the petitioners’ attorneys explored the extraordinary federal remedy, said remedy was not granted by the Supreme Court of Justice of the Nation in application of Article 280 of the Code of Civil and Commercial Procedure of the Nation and, consequently, the limitations of the cassation remedy were not remedied by the Supreme Court.

385. Based on said determinations, it concluded that the legal framework in force at the time of the facts did not guarantee the right to appeal the conviction in accordance with the content of said right recognized by the Inter-American system. As a result, in the specific cases, said right was not guaranteed to the victims by the courts that ruled in their respective proceedings, nor did they have judicial protection in relation to such limitations.

386. Consequently, the Inter-American Commission determined that the Argentine State is internationally responsible for the violation of the rights to appeal the judgment and to judicial protection enshrined in Articles 8(2)(h) and 25(1) of the American Convention, respectively, in relation to the obligations established in Articles 1(1) and 2 of the same instrument, to the detriment of Messrs. Alberto José Ricciardi, José Ángel De Priete, Leandro Héctor Parpaglionone, Carlos Osmar Barraza, Oscar Franco, Carlos Roldán, César Alberto Grego, Alejandro Alcides Sánchez, Christian Walter Mutuverría, Miguel Félix Hidalgo, Fabio Walter Romero and Gustavo Rainieri.



- **Santos Sebastián Flores Castillo vs. Nicaragua.**

387. The case refers to the international responsibility of the Republic of Nicaragua for the subjection of Santos Sebastián Flores Castillo to acts of torture, as well as for his death while deprived of his liberty.

388. Mr. Flores Castillo was an attorney and notary public. According to the petitioner, Mr. Flores Castillo complained to non-governmental organizations such as the Nicaraguan Center for Human Rights (CENIDH) and the Permanent Human Rights Commission (CPDH), as well as to the office of the President, that in 2005 the current President of Nicaragua, Daniel Ortega Saavedra, had begun a relationship with his fifteen-year-old sister, with whom he allegedly had a daughter. This aspect was disputed by the State. The petitioner indicated that, as a result of these allegations, a persecution began against the entire family and, in particular, against Mr. Flores Castillo.

389. On February 4, 2013, the Public Prosecutor's Office filed an accusation against Mr. Flores Castillo for the crime of aggravated rape. On February 5, the judicial body issued an arrest and search warrant and, on June 19, 2013, the National Police placed the accused at the order of the office, ordering his internment in the National Penitentiary System of Tipitapa ("La Modelo"). After the oral trial, on August 14, 2013, the Second District Court Specializing in Violence of Managua handed down a conviction against him for the crime of aggravated rape against L.N.C.G., sentencing him to 15 years in prison. The petitioner alleged that the crime was fabricated out of revenge for the complaints made. Mr. Flores Castillo was held in La Modelo for eight years and almost five months, until November 8, 2021, when the state authorities reported his death.

390. In March and April 2015, Elpidia Castillo, the victim's mother, denounced to the Nicaraguan Human Rights Ombudsman and the Minister of the Interior that the victim was being subjected to inhumane conditions of detention and to torture. Both the victim and his mother made several complaints about inhumane conditions and acts of torture, as well as his health condition, including complaints to the Minister of the Interior, the Peace, Defense, Governance and Human Rights Commission of the National Assembly and to the Humanitarian Committee of La Modelo.

391. According to Elpidia Castillo, during her visit to her son on September 15, 2015, she saw him in very poor health, alleging that he had lost weight excessively, was pale, could not walk, had sores on his body, and fungus on his hands and feet. Mrs. Castillo also said that the victim had reiterated the torture to which he was subjected, pointing out that he was still in solitary confinement, bolted 24 hours a day, without access to the sun, handcuffed hand and foot, and that he was denied food and did not receive medical attention.

392. According to the petitioner, as a result of numerous requests and complaints, on October 30, 2015, he was able to have the victim transferred to Gallery 8. However, she indicated that he had been placed in cells with highly dangerous subjects, who threatened him with death, so the victim was afraid and asked to be removed.

393. On June 28, 2019 and February 18, 2020, Elpidia Castillo informed the IACHR that Mr. Flores Castillo continued to be subjected to torture. On those occasions, she pointed out that he was in a state of isolation, in maximum security cells, chained 24 hours a day, that he was being given medication against his will, that he was not being provided with food, that he was in a very delicate state of health and that the visiting schedule was not being respected.

394. Mrs. Elpidia Castillo indicated that on November 8, 2021, Néstor Moncada Lau, who claimed to be President Ortega's personal assistant, informed her daughter, Elvia Flores, that the victim had died of an alleged heart attack. According to the death certificate issued by the Ministry of Health, Mr. Flores Castillo died on November 8, 2021 at 11:00 a.m., establishing "acute pulmonary edema" as the direct cause of death. This was rejected by the petitioner, who stated that "[o]nce in the house, we undressed him and observed that he had injuries to his neck, thorax and left arm caused by a knife, bruises on his face, signs of bites on his stomach,

his tongue was cut out, and he was hung by his feet, which indicated that his cause of death was not a heart attack, the signs show that he was strangled and that he was in a serious state of malnutrition”.

395. In its Merits Report No. 106/23, the Commission took note of the facts of prolonged isolation, the lack of access to adequate food and drinking water, the sanitary conditions and even the constant stomach ailments, diarrhea and vomiting suffered by the victim, as well as the lack of medical attention, the restrictions on visitation and the inhumane housing conditions to which Mr. Flores Castillo was subjected.

396. It also noted the petitioner’s repeated allegations of physical and psychological torture against the victim by state agents during his incarceration, including allegations that he was kept naked, deprived of food and water, forced to drink contaminated water, forced to consume substances against his will, kept chained hand and foot, kept awake, had his arm broken, beaten, and that inmates were brought into his cell to abuse him.

397. In particular, the IACHR observed in the photographs of the victim’s lifeless body provided by the petitioner that the neck area showed a dark purple color, an open wound on the left arm and multiple small marks on the arm and thorax. The Commission noted that the case file does not contain an autopsy that clearly explains what caused these marks and that the State did not provide a convincing and satisfactory explanation for the death of the victim in its custody, as required by its international obligations. By virtue of the foregoing, the Commission considered it proven that the victim was intentionally mistreated, causing him intense physical and mental suffering, and that said acts were associated with the complaints made by the victim, thus constituting the elements of torture.

398. The Commission also noted that Mr. Santos Flores died on November 8, 2021, while deprived of his liberty at the La Modelo penitentiary, and that the death certificate submitted to the proceedings, prepared by the Public Prosecutor’s Office, stated that the direct cause of death was “acute pulmonary edema”, without there being an autopsy in the file to clarify the causes of death and the circumstances that led to this certificate, which was essential in view of the marks on his body, as well as the fact that he died while deprived of his liberty. Consequently, the Commission indicated that, taking into account that there is a presumption that the State is responsible for the injuries sustained by a person who has been in the custody of State agents and that the State has not presented any explanation or sufficient evidence to refute the allegations of its responsibility in the death and mistreatment caused to Mr. Santos Flores, it must be concluded that the State is responsible for what happened to the victim.

399. In addition, it found that, despite the seriousness of the information provided by the petitioner at different times and the knowledge that State agents had through various communications, the State did not report that competent authorities initiated and conducted an *ex officio* investigation into the allegations of torture and ill-treatment. For these reasons, the Commission concluded that the State violated the rights to judicial guarantees and judicial protection, as well as the obligations contained in the Inter-American Convention to Prevent and Punish Torture.

400. Finally, taking into account that the State is responsible for subjecting Mr. Santos Flores to torture and cruel treatment during his incarceration and subsequent death, as well as for not having investigated with due diligence despite the petitioner’s repeated complaints, and taking note of the allegations of threats to several members of the Flores family, it considered that the State is responsible for causing suffering and anguish to the victim’s next of kin, in violation of their right to psychological and moral integrity.

401. Based on the findings of fact and law in this report, the Inter-American Commission concluded that the State is responsible for the violation of the rights to life, to humane treatment, to protection of honor and dignity, to protection of the family, to a fair trial and to judicial protection established in Articles 4, 5, 11, 17, 8 and 25 of the American Convention, in relation to Article 1(1) of the same instrument and Articles 1, 6 and 8 of the Inter-American Convention to Prevent and Punish Torture to the detriment of Santos Sebastián Flores Castillo and his next of kin, in the terms described in the report.



- **Rosa Angela Martino vs. Argentina.**

402. The case refers to the international responsibility of the Argentine State for the violations to personal integrity, judicial guarantees, judicial protection and health in the context of the internment of Mrs. Rosa Angela Martino in the Ayelén Geriatric Institute.

403. Mrs. Rosa Angela Martino suffered from “Alzheimer's type dementia with a history of progressive cognitive impairment”, for which her treating physician recommended her admission to the Ayelén Geriatric Institute located in the town of Villa Ballester, San Martín, province of Buenos Aires, in order to receive care and obtain a better quality of life. This public institute is attached to the Comprehensive Medical Program of the National Institute of Social Services for Retirees and Pensioners (INSSJP-PAMI). Mrs. Martino was hospitalized from November 26, 2005 to April 11, 2006.

404. Mrs. Martino's daughter, María Cristina González decided to remove her mother from said geriatric institution because she alleged that the victim suffered continuous abandonment and neglect by the institution's personnel, that “she lost 10 kilos, remained dirty and disheveled, sometimes without any clothes, and with excrement remains on her body”. She also indicated that there was only one nursing assistant for 44 people, that the nurse in charge of Mrs. Martino belonged to the Federal Police and treated her rudely, and that although she reported these problems to the nursing home managers, they did not take any action. As a result, Mrs. Martino was transferred to the private institute San Micael, where she was diagnosed with malnutrition, anemia, dehydration and urinary infection. The victim received care at that medical center and her condition improved.

405. On November 9, 2006, Mrs. González filed a criminal complaint with the Departmental Investigative Court No. 4, against the Ayelén Geriatric Institute, for the crime of abandonment of persons, typified in article 106 of the Argentine Criminal Code. On March 20, 2007, a report was submitted by the departmental medical expert indicating that it was not possible for her to carry out an expert opinion because she did not have the necessary documents. On May 21, 2007, on the basis of the expert report, the Departmental Investigative Court N°4 decided to archive the proceedings, arguing that there was not enough evidence to affirm the illicit materiality of the act.

406. On June 4, 2007, the petitioner filed a request for the case to be reopened, alleging that she had not had access to the file, and on September 19, 2007, she requested that the medical expert opinion presented be expanded, taking into account that the expert had not issued an opinion on the documentary evidence provided in the complaint. According to the State's allegation, on May 30, 2008, the prosecutor's office sent the proceedings again to the Expert Advisory Office so that the experts who had already participated in the case could report on the extensions made by the petitioner, and on July 21, 2008, both experts concluded that the new documentation provided did not modify the position adopted previously. The State also indicated that on July 25, 2008, the intervening Prosecutor ordered the proceedings to be closed.

407. On the other hand, in April 2009, Mrs. González filed an action for the protection of constitutional rights with precautionary measure before the National Court 5/10 against the National Institute of Social Services for Retirees and Pensioners, for the neglect suffered, requesting that said institution pay the victim's medical expenses at the San Micael Geriatric Hospital. The fifth court granted the precautionary measure and ordered the respondent institution to reimburse the petitioner for the sums paid for the expenses and fees for the hospitalization of her mother at the San Micael Institute. The petitioner indicated throughout the proceedings that the precautionary measure was never complied with by the State.

408. Finally, in February 2009, the petitioner sent a letter to the Superintendence of Health, requesting that it take all legal steps to ensure that the National Institute of Social Services for Retirees and Pensioners comply with its health care obligations to Mrs. Martino in her capacity as a member. According to the information contained in the file, the Superintendence did not take any action in this regard.

409. In its Merits Report No. 444/21, the Commission observed that the facts denounced occurred in a geriatric institution of a public nature, for which reason the conduct or omissions of the personnel of said institution engage the international responsibility of the State. It also noted that, during the processing of the petition, the State did not provide evidence or arguments to demonstrate that the medical personnel who treated Mrs. Martino at the Ayelén Institute complied with their obligation to care for her in an adequate manner, in accordance with her situation as an elderly person with a progressive degenerative mental illness, nor did it attach information on the regulation or audits carried out at the aforementioned public institution that would demonstrate that their actions were compatible with the State's obligations in this area.

410. In this regard, the IACHR considered that the State had the burden of demonstrating the medical treatments that the Ayelén Institute provided to the victim and their effectiveness on her health, taking into account that she was under its custody in a public geriatric institute and due to her condition as an elderly person with disabilities.

411. On the other hand, the Commission noted that, based on the complaint filed by the victim's daughter, the State's duty to investigate with due diligence what happened to Mrs. Martino was triggered. In this regard, the Commission found that the decision to close the case did not specifically and clearly determine the reasons and arguments that led the prosecutor's office to make such a decision. The Commission considered that this lack of individualization of facts, as well as the absence of a list of evidence, made it impossible to understand the assessment made by the Departmental Investigative Court, and that the lack of due motivation was not corrected by the Acting Attorney General who ratified the closing of the case on August 24, 2007.

412. Likewise, after a comprehensive analysis of the pieces of the case file available to it, the Commission observed that there were several shortcomings in the investigation, such as the lack of information for the performance of the expert opinions, the fact that the medical personnel or other persons who might have been hospitalized in the Institute were not questioned, and that Mrs. Martino's testimony was not even taken into account. Consequently, the Commission considered that it was not proven that the authorities acted in accordance with the special diligence required to guarantee the victim's rights by providing her with effective protection.

413. In this regard, the Commission concluded that the State is responsible for the impairment of Mrs. Martino's right to health and physical integrity, and that the State failed to investigate with due diligence the complaint of abuse and abandonment filed by Mrs. María Cristina González, in violation of the rights to judicial guarantees and judicial protection.

414. In relation to the State's actions regarding social security benefits, the IACHR observed that the Superintendence of Health did not take any action to ensure that the National Institute of Social Services for Retirees and Pensioners complied with its duty to provide the medical services required by the victim. This omission was even more serious due to the situation of vulnerability in which Mrs. Martino found herself due to her advanced age and delicate state of health.

415. In addition, it noted that the precautionary measure requested by the petitioner in the action for the protection of constitutional rights she had filed against the National Institute of Social Services for Retirees and Pensioners was granted on August 27, 2009 by the judicial authorities. However, the State did not adopt any measures for the prompt and effective compliance with the order, in order to guarantee Mrs. Martino's medical coverage at the San Micael geriatric institute. The Commission considered that, in such circumstances, the precautionary measure requested, together with the action for the protection of constitutional rights, became ineffective and delayed remedies and did not have the possibility of preventing and restoring the infringement on victim's right to health and social security. The Commission also observed that the prolongation of the execution of the sentence had an impact on the medical and legal situation of Mrs. Martino and her daughter, Mrs. María Cristina González. Consequently, the Commission considered that the State is responsible for the violation of the rights to judicial guarantees, judicial protection and health.

416. Based on these findings, the Inter-American Commission concluded that the Argentine State is responsible for the violation of the rights established in Articles 5 (personal integrity), 8(1) (right to a fair trial), 25 (judicial protection) and 26 (progressive development) of the American Convention on Human Rights, in relation to the obligations established in Article 1(1) of the same instrument, to the detriment of Mrs. Rosa Angela Martino and Mrs. María Cristina González.

- **Mario Francisco Tadic Astorga et al. v. Bolivia.**

417. The case refers to the international responsibility of the Bolivian State for the violations that occurred during a police operation at the Hotel Las Américas in the city of Santa Cruz.

418. On April 14, 2009, the Ministry of Government filed a complaint before the Departmental Prosecutor's Office of La Paz for serious crimes committed against the internal security of the State. Within the framework of this complaint, the prosecutor reported the initiation of preliminary investigations without determining specific facts or the identity of the perpetrators. In the early morning of April 15, 2009, a group of unidentified persons detonated an explosive device at the gate of Cardinal Julio Terrazas' house in the city of Santa Cruz de la Sierra, causing some damage to the façade of the building. On the same day the aforementioned representatives of the Ministry of Government extended the complaint they had filed the day before for the events occurred in the house of Cardinal Terrazas.

419. In the early morning of April 16, 2009, a contingent of the Unidad Táctica de Resolución de Crisis (UTARC), an elite group of the Bolivian Police, entered the Hotel Las Américas in the city of Santa Cruz, fired shots on the fourth floor and burst into the rooms firing their firearms. As a result of this operation Michael Dwyer and two other people were killed and Elöd Tóásó and Mario Tadic were arrested

420. Mr. Tadic and Mr. Tóásó stated that during their detention and transfer, their hands were tied, their heads were covered with cloth, while they were repeatedly beaten and subjected to various interrogations. This was disputed by the State. Almost at noon on April 16, 2009, from the city of Santa Cruz, the prosecutor Marcelo Soza issued the arrest warrant, arguing that there it was probable that the individuals were the perpetrators of the attack on the Cardinal's house and that there was a risk of flight because they were foreign citizens.

421. The victims reported that they have denounced that they were victims of torture in the hearing of precautionary measures that took place on April 18, 2009, but that the judge of the Seventh Court of Criminal Instruction of the city of La Paz rejected any request in this regard. In said hearing, the preventive detention of the victims was ordered, and they were subsequently transferred to the penitentiary center of San Pedro and locked in a punishment cell in the sector called "La Grulla". On April 11, 2017, the First Sentencing Court Judge issued a resolution by which he informed that the convicted persons underwent an abbreviated procedure, "being free and having returned to their country of residence".

422. Michael Dwyer was an Irish citizen who at the time was 25 years old. In the early morning of April 16, 2009, he was sleeping in room 457 of the Las Américas Hotel in the city of Santa Cruz. According to the report of the Special Multiparty Commission of the Chamber of Deputies, his body was found in that room.

423. The autopsy protocol identified six firearm projectile impacts in the thorax and abdomen and established that "the cause of death was hypovolemic shock and multiple wounds in the thorax by firearm projectiles". In several statements, Elöd Tóásó affirmed that Michael Dwyer had survived the police operation in the Las Américas hotel and that he was executed in one of the Santa Cruz airports, which was disputed by the State. When Michael Dwyer's body arrived in Ireland, a second autopsy was performed on April 27, 2009, which identified injuries not detected in the original autopsy, including the fatal heart injury.

424. Juan Carlos Guedes and Alcides Mendoza were detained by armed members of UTARC on April 28, 2009 in the city of Santa Cruz. The victims stated that they were forcibly put into a van and transported by land to the city of La Paz, with plastic bags over their heads, their hands tied and blindfolded with *masking* tape.

Five days later they were ordered to be placed under house arrest. Mr. Mendoza indicated that they were forcibly removed from their homes and transported to La Paz despite the precautionary measure in their favor and without a court order. Both were held in the San Pedro prison.

425. The victims denounced that on several occasions their cell was raided, that they were overcrowded and that they were punished with confinement in “La Grulla”. According to public information, Mr. Guedes and Mr. Mendoza remained in preventive detention for more than ten years. In November 2019 they requested the cessation of their preventive detention, which was accepted by the First Sentencing Court of La Paz. Subsequently, the Court issued the resolution to close the criminal proceedings for terrorism offenses and ordered the acquittal of the defendants.

426. In its Merits Report 394/21, the Commission first analyzed whether the death of Michael Dwyer was attributable to the State and whether it engaged its international responsibility for failure to comply with the obligations established in the Convention. In this regard, the Commission noted that there is a dispute between the parties as to the time at which the death occurred. On the one hand, the petitioner argued that Mr. Dwyer was executed arbitrarily at an airport in the City of Santa Cruz, after the operation took place at the hotel; on the other hand, the State argued that his death occurred as a result of the confrontation or crossfire that took place at the hotel itself when they tried to arrest him.

427. The IACHR emphasized that, due to the lack of an investigation and clarification of what happened, it is not possible to clearly establish the precise circumstances in which Mr. Dwyer’s death occurred, which is the responsibility of the State itself. However, it indicated that even assuming the hypothesis that his death had occurred in the context of the operation, the State did not comply with the obligations related to the respect and guarantee of the right to life that were required of it in the use of lethal force. In addition, it noted with deep concern the consistent statements of Mr. Tadic and Mr. Tóásó, which indicate that Mr. Dwyer’s death occurred after the operation, while he was in a situation of total defenselessness and subjection to the police agents of the UTARC. In view of the foregoing, the Commission concluded that the death of Michael Dwyer is attributable to the State and constituted an arbitrary deprivation of life, in violation of the duty to respect and guarantee the right to life.

428. It also considered it proven that, since the early morning of April 16, 2009, Mr. Tadic and Mr. Tóásó were in the custody of the State and that, according to the forensic medical reports, the victims had multiple contusions, bruises, edema and ecchymosis in different parts of their bodies as a result of their detention. By virtue of these facts, the Commission understood that the State, in its role as guarantor, should have provided a convincing explanation of what happened to rebut the presumption of its responsibility for the injuries of the victims who were in its custody. In this sense, the Commission concluded that the State is responsible for the injuries exhibited by Mr. Tadic and Mr. Tóásó while in its custody and consequently for the violation of their right to humane treatment.

429. The Commission also observed, with respect to Mr. Mendoza and Mr. Guedes, that, according to press reports, they arrived at the Prosecutor’s Office building in the city of La Paz handcuffed and blindfolded with *masking* tape and that, according to their statements, they were repeatedly beaten and threatened during the transfer, while firearms were pointed at their heads. In this sense, the Commission considered that the physical and mental mistreatment suffered by Mr. Guedes and Mr. Mendoza during their transfer constituted a violation of their right to personal integrity.

430. Additionally, it was determined that the acts perpetrated against Mr. Tadic and Mr. Tóásó, during and after their detention, and against Mr. Guedes and Mr. Mendoza, during their transfer to La Paz, constituted acts of torture, and that the conditions of detention in the San Pedro prison violated the right of the inmates to live in a detention regime compatible with their personal dignity, and included forms of punishment in addition to the deprivation of liberty itself, which entailed serious injuries, suffering and damage to their health. In this sense, the Commission considered that the State is responsible for the violation of the right to personal integrity and its obligations under the Inter-American Convention to Prevent and Punish Torture.

431. On the other hand, it was found that the arrests of Mario Tadic and Elöd Tóásó took place illegally and arbitrarily, that they were not informed of the reasons or motives for their detention and that they were not immediately brought before a judicial authority in the city of Santa Cruz, in violation of their right to personal liberty.

432. The commission established that the detention of Juan Carlos Guedes and Alcides Mendoza was carried out illegally and arbitrarily, that there is no evidence to prove that the victims had been informed orally or in writing of the reasons for the detention and that they were not immediately handed over to the Santa Cruz judicial authorities as established in the Constitution but were transferred to La Paz. In this sense, it indicated that their right to personal liberty was violated.

433. In addition, the IACHR noted that, despite the complaints made, no serious, diligent and immediate investigation was carried out into the torture suffered by Mr. Tadic, Mr. Tóásó, Mr. Guedes and Mr. Mendoza, violating the right to judicial guarantees and judicial protection of the four victims.

434. Finally, regarding the criminal proceedings against Mr. Tadic, Mr. Tóásó, Mr. Guedes and Mr. Mendoza for the crime of terrorism, the Commission found that without any legal basis, the victims were brought before a judge in La Paz instead of Santa Cruz and that the first two were held in preventive detention from April 2009 to March 2015, that is, for almost 6 years, while Mr. Guedes and Mr. Mendoza were held in preventive detention for more than 10 years. In this sense, it found a violation of the judicial guarantees of the four victims, including the right to be judged by the natural judge

435. It also considered that the right to the presumption of innocence was violated given that Mr. Tadic, Mr. Tóásó, Mr. Guedes and Mr. Mendoza were exhibited before the media as perpetrators of the crimes of terrorism and sedition, when they had not yet been legally prosecuted or convicted. The Commission concluded that as a result of its actions and omissions while the victims were deprived of their liberty, the Bolivian State violated their right to personal liberty, judicial guarantees, protection of their honor and dignity, and judicial protection.

436. Based on these findings, the Inter-American Commission concluded that the Bolivian State is responsible for the violation of the rights to life, humane treatment, personal liberty, right to a fair trial, protection of honor and dignity, and judicial protection, established in Articles 4, 5, 7, 8, 11 and 25 of the American Convention in relation to the obligations established in Article 1(1) of the same instrument, as well as Articles 1, 6 and 8 of the Inter-American Convention to Prevent and Punish Torture, all to the detriment of the victims identified in the report.

- **José Milton Cañas and other vs. Colombia.**

437. The case concerns the international responsibility of the Colombian State for the death of seven people and the forced disappearance of twenty-five people by paramilitaries in 1998 in Barrancabermeja in the context of the internal armed conflict.

438. Barrancabermeja is a municipality in Colombia, located in the department of Santander, in the Magdalena Medio region. According to what the bodies of the Inter-American system have stated in various cases, in the mid-1980s in the Magdalena Medio region there was intense fighting by the Army and the self-defense groups against the guerrillas, in which the high military commanders of the area supported the self-defense groups. Many of these groups became criminal groups commonly known as “paramilitaries”, which spread to other regions of the country. According to a report by the Vice-Presidency of Colombia in the early 1990s, in the departments of Norte de Santander, Santander and Cesar, self-defense groups settled in the area with the aim of reducing guerrilla activities, particularly due to the existence of illicit crops and strategic corridors. In this context, the Autodefensas Unidas de Santander y Sur del Cesar (AUSAC), among others, was founded.



439. On May 16, 1998, between 8:30 and 9:00 p.m., a group of 20 to 50 AUSAC men entered the southwest area of Barrancabermeja in five vehicles. The men were dressed in civilian clothes, were hooded and wore bulletproof vests. They also carried machetes, bladed weapons, and short- and long-range weapons. According to Amnesty International, some of the vests worn by these individuals appeared to bear the insignia of the DAS. In addition, two witnesses stated that some were wearing green vests like those used by the army.

440. The AUSAC first stopped at the bar “La Tora” and proceeded to hold Juan de Jesús Valdivieso and Pedro Julio Rondón Hernández, whom they mistreated and forced to get into one of the vehicles in which they were traveling. Pedro Julio Rondón Hernández was later executed on the soccer field. Then, the AUSAC went to the Campestre neighborhood, to the home of José Libardo Londoño Avendaño, a 75-year-old carpenter, and forced him into one of the vehicles in which they were traveling.

441. Subsequently, they entered a party on the soccer field where hundreds of people were present and began shouting at them. Some of the people present at the party were hit with rifle butts. The AUSAC forced José Octavio Osorio, Orlando Martínez Castillo, José Milton Cañas Cano, Diego Fernando Ochoa Lopez, Alejandra María Ochoa Lopez, Giovanni Herrera Cañas, Oswaldo Enrique Vázquez, Ender González Baena, José Reinel Campo Arévalo, Fernando Ardila Landinez, Oscar Leonel Barrera Santa, Luis Fernando Suárez Suárez, Robert Wells Gordillo Solano and José Javier Jaramillo Díaz, the latter 17 years old, into one of the vehicles. Pedro Julio Rondón Hernández, who was captured at the bar “La Tora”, tried to escape and the paramilitaries proceeded to slit his throat. José Javier Jaramillo Díaz, who was captured at the party, was found dead the following day on the road leading from Barrancabermeja to Bucaramanga.

442. They also entered a billiards establishment adjacent to the soccer field. Wilfredo Pérez Serna, manager of the establishment, was insulted and beaten by the paramilitaries, who put him in one of their vehicles. The AUSAC also detained Jaime Yesid Peña Rodríguez, 16 years old, who was outside his house.

443. They then went to the 9 de Abril neighborhood and split up to go to a mini-shuffleboard court and a billiards hall. There, Germán León Quintero tried to flee and was shot in the leg by one of the paramilitaries and subsequently shot and killed. The paramilitaries also forced Melquisedec Salamanca Quintero, Carlos Arturo Alaixt Prada and Carlos Enrique Escobar Jiménez, the latter 17 years old, into one of the vehicles in which they were traveling. In the billiards hall, the paramilitaries forced Daniel Campos Pérez, Juan Carlos Rodríguez Arenas, Luis Jesús Arguello Solano and Diomidio Hernández Pérez into one of the vehicles in which they were traveling.

444. They then continued towards the La Esperanza neighborhood and forced Eliécer Quintero Orozco, Nehir Enrique Guzmán Lázaro and Luis Fernando Suárez Suárez to get into one of the vehicles in which they were traveling. They also forced Ricky Nelson García and Wilson Pacheco Quiroz to get off their motorcycles and were also forced into one of their vehicles. Once they reached the La Esperanza neighborhood, the paramilitaries killed Nehir Enrique Guzmán Lázaro. After an hour and a half from entering Barrancabermeja, the AUSAC returned through the entrance where the El Retén base was to be located. The paramilitaries approached a restaurant where they captured Gary Pinedo Rangel and forced him into their vehicles. The paramilitaries killed Luis Jesús Arguello Solano, Diomidio Hernández Pérez, Eliécer Javier Quintero Orozco and José Javier Jaramillo Díaz, who were previously captured. Their bodies were found the following day. Finally, the AUSACs headed towards the city of Bucaramanga.

445. Several statements made reference to the link between the AUSAC and the Barrancabermeja Public Forces to commit the acts that occurred on May 16, 1998.

446. During the AUSAC raid, the relatives of the hostages denounced what had happened to police authorities, the DAS and the Colombian army. According to witness statements, the police agents “did not carry out any operation aimed at capturing those responsible and rescuing the hostages”.

447. On May 18, 1998, the National Human Rights Unit of the Attorney General’s Office opened an investigation into the events that occurred. On July 29, the Unit issued a resolution in which it opened the

investigation and ordered that the Second Corporal of the National Army Rodrigo Pérez Pérez, member of the Artillery and Anti-Aircraft Defense Battalion No. 2 of Nueva Granada, who according to witness statements, was one of the persons who participated in the events together with the AUSAC, for the crimes of multiple aggravated homicide and kidnapping for extortion, be linked to the process. However, on November 29, 2001, the National Human Rights Unit issued a resolution of preclusion of the investigation against Mr. Perez.

448. For its part, the Unit refused to link various military agents who allegedly participated in the uprising at the “El Retén” base on the day of the events to the criminal proceedings in a timely manner. The Unit limited itself to pointing out that there was no evidence to prove that they knew what was going to happen.

449. On March 30, 2006, the Delegated Prosecutor’s Office before the Court ordered to link six military agents and two Administrative Department of Security (DAS) agents to the proceedings. On November 29, 2013, the Special Prosecutor’s Office for Human Rights and International Humanitarian Rights decided the legal situation of the eight members of the Public Force who had been linked to the investigation. The Prosecutor’s Office decided to impose preventive detention against the six military agents for co-perpetration of the crimes of aggravated homicide and forced disappearance and refrained from imposing a security measure against the DAS agents.

450. The petitioner argued that, although most of the Army and Police officers accused of these acts are deprived of their liberty, this is not the case of Colonel Joaquín Correa Lopez, with respect to whom the necessary actions to apprehend him were not taken.

451. On the other hand, between June 1999 and January 2001, the National Human Rights Unit of the Attorney General’s Office issued preventive detention orders for the crimes of multiple homicide, extortive kidnapping and paramilitarism against 4 members of the AUSAC. According to the information provided by the State, a group of paramilitaries were prosecuted under Law No. 975 of Justice and Peace, and several advance sentences were issued against them. The IACHR also noted that to date, other paramilitaries are still being prosecuted and are reportedly in the investigative stage.

452. In its Merits Report No. 141/21, the IACHR noted that there are various pieces of evidence that the AUSAC coordinated with military agents for the events of May 16, 1998, including the context declared by Inter-American bodies, witness and paramilitary statements, State reports, reports from civil society organizations, reports from international organizations, among others. It also noted that among the paramilitaries there were people wearing army and Administrative Department of Security (DAS) uniforms, and that some of the people who participated in the operation were allegedly state agents.

453. Consequently, for the events of May 16, 1998, the Commission concluded that the State is responsible for the violation of the right to life, to the detriment of Julio Rondón Hernández, José Javier Jaramillo Díaz, Germán León Quintero, Diomidio Hernández Pérez, Luis Jesús Arguello Solano, Nehir Enrique Guzmán Lázaro and Eliécer Quintero Orozco. The Commission also found the State responsible for the violation of the rights to personal liberty, personal integrity, life, and recognition as a person before the law to the detriment of Juan de Jesús Valdivieso, José Libardo Londoño Avendaño, José Octavio Osorio, Orlando Martínez Castillo, José Milton Cañas Cano, Diego Fernando Ochoa López, Alejandra María Ochoa López, Giovanny Herrera Cañas, Oswaldo Enrique Vázquez, Ender González Baena, José Reinel Campo Arévalo, Fernando Ardila Landinez, Oscar Leonel Barrera Santa, Robert Wells Gordillo Solano, Wilfredo Pérez Serna, Daniel Campos Pérez, Juan Carlos Rodríguez Arenas, Carlos Enrique Escobar Jiménez, Melquisedec Salamanca Quintero, Carlos Arturo Alaixt Prada, Ricky Nelson García, Luis Fernando Suárez Suárez, Wilson Pacheco Quiroz, Yesid Peña Rodríguez and Gary Pinedo Rangel.

454. Additionally, the IACHR noted that José Javier Jaramillo Díaz and Carlos Enrique Escobar Jiménez were 17 years old at the time of the facts and that Yesid Peña Rodríguez was 16 years old, for which reason it considered that the State ignored its obligation to provide special protection to children, especially in a context of armed conflict.



455. Regarding the investigation of the facts, the Commission noted that several family members and residents of the area immediately went to the police station to report the facts. However, during the first weeks, no State authority adopted measures to investigate the facts, locate the whereabouts of the missing persons, nor did it act with the minimum diligence to preserve evidence that directly linked the participation of members of the Armed Forces. In conclusion, it considered that from the first proceedings the State incurred in omissions and obstructions that hindered the knowledge of the truth of the facts and the punishment of those responsible. In addition, the Commission noted that, within weeks of the events, several witnesses received death threats without any specific measure of protection granted to protect the life and integrity of these persons, and to identify the causes of the risk.

456. Likewise, the IACHR observed that eight years after the events occurred, the Delegated Prosecutor's Office before the Court ordered the linking of six military agents and two DAS agents to the proceedings; and fifteen years after the events occurred, the Specialized Prosecutor's Office for Human Rights and International Humanitarian Rights decided to acquit the DAS agents, ordering the preventive detention of the other six military agents for the crimes of aggravated homicide and forced disappearance, with no information available on the status of the investigation.

457. The Commission also held that, despite the existing evidence, no effective action was taken to identify the criminal responsibility of other actors or to inquire into the participation of high-ranking members of the security agencies and other state agents in the events. Therefore, it considered that there was no effective line of investigation aimed at linking all the persons responsible, including the material and intellectual authors. In this sense, the Commission concluded that there was a clear lack of due diligence in the investigation, with which the State has perpetuated the situation of impunity in which the facts of this case are found.

458. On the other hand, with respect to the group of paramilitaries who were prosecuted under Law No. 975 of Justice and Peace, the Commission noted that to date the proceedings against other paramilitaries continue, and that they are still in the investigative stage, for which the Commission noted that there is an excessive delay in the proceedings that are still open, without any justification having been provided. The Commission emphasized that the confession of the accused cannot exempt the authorities from their obligation to diligently investigate the facts and establish the responsibilities to which they give rise, especially since, as indicated by the State, some 40 paramilitaries participated in the act. The Commission considered that the State has not complied with its obligation to investigate and pointed out that the case file does not contain information related to the proceedings carried out in the framework of the Justice and Peace Law in order to verify the statements of the paramilitaries prosecuted and convicted, in order to clarify the facts and, in particular, to identify the whereabouts of all the disappeared victims.

459. In addition, it considered that the lapse of approximately 23 years in which the criminal proceedings were before the ordinary jurisdiction exceeded a period that could be considered reasonable for the State to carry out the corresponding investigative procedures and constituted a denial of justice to the detriment of the victims' next of kin.

460. In addition, the Commission noted that several lawsuits were filed in the administrative litigation jurisdiction and that the proceedings were still pending at the time of the adoption of the report. Therefore, it considered that the administrative litigation jurisdiction would not have been an effective remedy to, in addition to the criminal proceeding, allow for reparations to the victims in the case.

461. In this sense, it concluded that the domestic investigations and proceedings have not been effective remedies to guarantee access to justice, to determine the truth of the facts, the investigation and punishment of those responsible, and reparations for the consequences of the violations, in violation of the right to judicial guarantees and judicial protection.

462. Finally, it pointed out that it is evident that the anguish experienced by the victims' next of kin in the search for justice for the murders and forced disappearance of their loved ones, the lack of effective protection and the profound suffering and radical change in their lives has affected their personal integrity.

Consequently, the Commission concluded that the State violated the right to psychological and moral integrity of the next of kin.

463. Based on these findings, the Inter-American Commission concluded that the State is responsible for the violation of the rights to juridical personality, life, humane treatment, personal liberty, fair trial, rights of the child and judicial protection, established in Articles 3, 4, 5, 7, 8(1), 19 and 25(1) of the American Convention on Human Rights, in relation to Article 1(1) of the same instrument, to the detriment of the persons indicated in each of the sections of the report. Likewise, the State is responsible for the violation of Articles I(a), I(b) and III of the Inter-American Convention on Forced Disappearance of Persons, since said treaty entered into force for Colombia.

- **María Cristina Aguirre vs. Argentina.**

464. The case concerns the international responsibility of the Argentine State for the violation of María Cristina Aguirre's right to appeal a criminal conviction against her.

465. On June 27, 2002, the Oral Federal Criminal Court No. 3 of San Martín issued a sentence in a criminal case against Mrs. Aguirre. According to the sentence, the conduct reproached to Mrs. Aguirre was the possession for commercial purposes of 44.86 grams of marijuana and 0.70 grams of cocaine hydrochloride, which was allegedly discovered on September 14, 2000, when personnel belonging to the *Dirección General de Investigaciones Complejas y Narcocriminalidad -Delegación Oeste-* proceeded to the raid of the house where she lived.

466. The official public defender assigned to Mrs. Aguirre argued that the search had been carried out in violation of the constitutional guarantees of due process and the inviolability of the home. In its decision, the Oral Court rejected such arguments of unconstitutionality of the search, considered that the reproached conduct was typified as "possession of narcotics for commercialization purposes" and consequently imposed to Mrs. Aguirre a principal sentence of four years and two months of imprisonment, plus the legal accessory penalties and costs.

467. On July 15, 2002, an official public defender filed an appeal for cassation against the sentence that convicted Mrs. Aguirre, arguing that the search of the house should be equated to a search carried out in the absence of a warrant because the conditions required by the investigating judge were not met. The defense counsel also claimed that the conviction had validated the unlawfulness of the search based on the false assumption that the search took place because the police noticed that the people in the house were trying to escape, when in fact the statements of the police officers had indicated that they observed the escape attempt after they had begun their attempts to enter the property.

468. On August 5, 2002, the Oral Federal Criminal Court No. 3 of San Martín granted the appeal for cassation and ordered that the proceedings be sent to the National Chamber of Criminal Cassation. On September 11, 2002, the National Criminal Cassation Chamber decided to declare the appeal for cassation "wrongly granted", stating that the grievance alleged by the defense was "a question of fact in the resolution of which, in principle, the court of merit is sovereign and that it cannot be argued in this instance except in cases of arbitrariness or absurdity, violation of the defense in trial or due process of law, which are not observed in the case under examination".

469. In a brief filed on September 25, 2002, an official public defender filed an extraordinary federal appeal against said decision. In such brief, the public defender argued that the appealed decision had violated, to the detriment of Mrs. Aguirre, the internationally recognized right to a double judicial instance and the constitutional guarantees of the defense in trial and due process.

470. This extraordinary federal appeal was declared inadmissible by the National Chamber of Criminal Cassation on October 24, 2002. In support of its decision, the Chamber stated that "[T]he extraordinary appeal is clearly inadmissible" and that "the Chamber, in declaring the appeal for cassation to be

improperly granted, complied with its legal obligation to examine the formal admissibility of the appeal without making any progress on the substantive merits of the exceptional remedy sought”.

471. Mrs. Aguirre sent from the center where she was deprived of her liberty a handwritten note dated November 21, 2002 and addressed to the National Chamber of Cassation in which she indicated “I appeal the sentence of the appeal of complaint”. This note was understood as the presentation in forma *pauperis* of a complaint appeal against the denial of the extraordinary appeal that had been filed in her favor. The complaint appeal was later founded by an official public defender. In the brief of substantiation, the public defender argued that the presentation made by Mrs. Aguirre should be considered temporary since any direct presentation by a justiciable person should be considered temporary when that person had not been informed by the attorney representing him/her of the decision that prejudiced him/her or of his/her right to appeal.

472. In the same brief, the public defender also argued that the regulations governing the criminal appeal for cassation at the federal level were incompatible with the State’s international obligations in terms of double jurisdictional instance because they regulated the appeal based on the principle of “intangibility of the facts established by the trial court”, thus preventing the Court of Cassation from reevaluating the facts. The public defender also denounced a tendency of the domestic courts to restrict the appeal for cassation even more than its already restrictive legal provision. On November 25, 2003, the Supreme Court of Justice of the Nation dismissed the complaint filed by Mrs. Aguirre as untimely, without expressly analyzing the arguments put forward by her defense to support that the appeal should be considered temporary.

473. In its Admissibility and Merits Report No. 329/22, the Commission considered it proven that Mrs. Aguirre’s right to appeal the conviction was materially violated because the cassation court automatically rejected her defense motions only because it considered them to be directed at questions of fact and evidence, a situation that was not remedied by the courts that heard the subsequently filed appeals.

474. The IACHR appreciated the information on jurisprudential developments that had occurred at the domestic level in relation to the right to appeal convictions. In particular, the Commission valued positively “the Casal ruling” as a first effort to make judicial practices compatible with Argentina’s international human rights obligations. However, the Commission emphasized that it took place after the facts of the case, and that limits have been identified as to its scope and enforceability. In view of the above, the Commission concluded that the Argentine State is responsible for the violation of the rights to appeal a judgment and to judicial protection.

475. With respect to the appeal filed in forma *pauperis* by Mrs. Aguirre and subsequently filed by a public defender, the Commission observed that the Supreme Court of Justice dismissed said appeal as untimely, without having conducted an explicit analysis or provided any type of response to the arguments that were raised by Mrs. Aguirre’s defense in an attempt to support the temporary nature of the appeal. On the contrary, the Commission noted that untimeliness was the only basis provided by the Court for the dismissal of the appeal.

476. On this point, it was indicated that the arguments raised by Mrs. Aguirre’s defense in support of the temporary nature could not be considered tangential or insubstantial, as they were directly and essentially related to the decision of the case, as well as to the guarantee of access to justice for a person who had been in a situation of vulnerability at the time she filed the appeal. Consequently, the IACHR considered that the decision adopted by the Supreme Court did not reflect a motivation that would allow it to consider that the victim and the arguments of her defense counsel had been effectively heard in a process that concerned her rights. In this sense, the Commission concluded that the State is responsible for the violation of the rights of access to justice, to be heard in proceedings related to the determination of her rights and to judicial protection.

477. Based on these findings, the Inter-American Commission concluded that the Argentine State is responsible for the violation of the rights to a fair trial and judicial protection, established in Articles 8 and 25 of the American Convention, in relation to Articles 1(1) and 2 of the same instrument, to the detriment of Mrs. Aguirre.

- **Eduardo José Antonio Moliné O'Connor vs. Argentina.**

478. The case concerns the international responsibility of the Argentine State for the dismissal of Eduardo Moliné O'Connor as Judge of the Supreme Court of Justice of the Nation.

479. On August 6, 1990, Mr. Moliné O'Connor assumed the position of judge of the Supreme Court of Justice of the Nation of Argentina. Thirteen years later, on June 4, 2003, the then president of Argentina, Néstor Kirchner, requested the National Congress to initiate an impeachment trial against some members of the Supreme Court. Likewise, representatives of the Executive Branch issued statements referring to the need to recompose the Court of Justice of the Nation.

480. On June 10, 2003, Congressmen Julio Gutiérrez and José Mirabile filed a complaint against Justice Moliné O'Connor and other justices in their capacity as judges of the Supreme Court, for their decision in the *"Magariños, Hector Mario"* case, referring to the disciplinary sanction imposed on a judge. Similarly, on June 4, 2003, Congressmen Carlos Raúl Iparraguirre and Margarita Stolbizer requested the Chamber of Deputies to initiate an impeachment proceeding against them for poor performance in the exercise of their duties due to the decision they issued in the case *"Meller Comunicaciones S.A.U.T.E. c/ Empresa Nacional de Telecomunicaciones"*. Likewise, on July 3, 2003, Congressmen Carlos Raúl Iparraguirre, Ricardo Nieto Brizuela and Juan Jesús Minguez requested the Chamber of Deputies to initiate an impeachment proceeding against Mr. Moliné O'Connor for poor performance in the exercise of his duties as Judge of the Supreme Court, due to his actions in the case called *"Macri, Franciso y Martínez & Evación Fiscal y presunto Contrabando"* (*Macri, Franciso y Martínez & Tax Evasion and alleged Smuggling*).

481. That same day, the Impeachment Committee of the Chamber of Deputies met with fourteen of its 32 members, analyzed the complaints and unanimously approved that they met the requirements to be declared admissible, and therefore ordered the initiation of an impeachment proceeding against him. On August 13, 2003, the Chamber decided to impeach Mr. Moliné O'Connor for malfeasance in office.

482. On August 21, 2003, the victim's representatives filed a recusal request before the Senate of the Nation against the senator and then president of the Senate Constitutional Affairs Committee, Cristina Fernández de Kirchner, due to the fact that she was related to the then President by virtue of their relationship as spouses; and for having stated on several occasions before public opinion her decision to request the impeachment of members of the Supreme Court of the Nation. However, on August 26, 2003, the referred Commission, by means of an opinion, advised the Senate of the Nation to reject the recusal.

483. On September 2, 2003, Mr. Moliné O'Connor's counsel filed a new recusal request, expanding on the grounds of lack of impartiality. On September 3 and 4, 2003, the Senate of the Nation confirmed the rejection of such recusal. In view of this decision, the victim's representatives filed an extraordinary federal appeal, which was dismissed on October 1, 2003 by the Senate of the Nation.

484. At the same time, on September 3, 2003, Mr. José Ricardo Falú and Mr. Carlos Iparraguirre, in their capacity as members of the Impeachment Committee and based on their majority opinion on the case, filed an accusation against Mr. Moliné O'Connor for malfeasance as a Supreme Court Justice. In such writ, they requested that he be suspended from the exercise of his functions while the impeachment trial is being substantiated, without pay; and that he be removed from his position for an indeterminate period of time to hold public office. On October 8, 2003, the Senate of the Nation resolved the preventive suspension of Mr. Moliné O'Connor from the exercise of his functions, without pay.

485. Pursuant to the provisions of Article 10 of the Rules of Procedure for impeachment proceedings, the Senate of the Nation began deliberating the case on December 3, 2003, and subsequently, at the same session, the Senate, by resolution DR-116/03, removed the victim from his position as a Supreme Court Justice for malfeasance in office, after approving two of the nine charges brought against him, both related to the "Meller" case.

486. Against this resolution, Mr. Moliné O'Connor filed an extraordinary federal appeal, which was rejected by the Senate of the Nation on February 24, 2004. In view of this, the victim filed a *de facto* appeal arguing the violation of his right to due process, due to the absence of judicial guarantees, and that he was being dismissed for the judgments he had signed. On June 1, 2004, the Supreme Court of Justice of the Nation dismissed the action, considering that there was no violation of the right to defense and that it did not have the power to analyze the merits of the impeachment trial.

487. In its Admissibility and Merits Report No. 30/23, the Commission first concluded that the norm used to initiate the impeachment trial against the victim was not compatible with the principle of legality, allowing it to initiate a proceeding aimed at removing him from office for his legal reasoning as a judge.

488. Likewise, with respect to the suspension measures adopted against the victim, the IACHR noted that the authorities never justified why the suspension was necessary to avoid a possible impact on the administration of justice. In this regard, the Commission considered that since this measure restricted the principle of judicial independence and the guarantee of Mr. Moliné O'Connor's stability, it was incumbent upon the Senate, in addition to respecting the principle of legality and arguing in a well-founded manner what was the legitimate end to be achieved, to demonstrate that the suspension was a suitable, necessary and proportional means. However, it observed that the decision to suspend the victim was never adequately justified, and the congressmen and congresswomen limited themselves to emphasizing that they had the competence to adopt such a decision. Therefore, the Commission considered that this measure affected the principle of judicial independence and the guarantee of stability.

489. On the other hand, with respect to the measure of dismissal, it was noted that, having used the legal reasoning issued by the victim in the so-called "Meller S.A." case as support for such determination, no argument was identified in the case file that explains to what extent the legal grounds used in the decision adopted by a collegiate court in the aforementioned case constituted truly serious conduct by Mr. Moliné O'Connor, for the purpose of justifying his dismissal. On the contrary, the IACHR noted that, according to Mr. Moliné O'Connor's defense, such decision only followed the jurisprudence of the Supreme Court of the Nation regarding the admissibility of the remedy of complaint. Therefore, the Commission considered that the dismissal was not duly sustained.

490. The Commission also considered that the impeachment proceeding involved authorities with a pre-established position, given their ties to the governing party and the authorities of the Executive Branch. In this sense, it held that the impeachment proceeding to which the victim was subjected did not observe the guarantees of due process of law and, in particular, did not comply with the requirement of impartiality of the authority in charge of the proceeding.

491. It also noted that, at the time of the facts, domestic law did not have a specific procedure regulating the presentation of challenges before the Chamber of Deputies and/or the Senate, which partially caused all the challenges presented by the victim throughout the impeachment trial not to result in an outcome in his favor, given that they were rejected by resolutions that lacked a legal motivation. For these reasons, the Commission concluded that the State violated the right to an impartial authority.

492. Similarly, it noted that the victim judicially challenged his suspension and dismissal as a judge and that the Supreme Court only analyzed the reasonableness of the deprivation of the victim's remuneration, without examining the legal basis for the suspension of his position as a judge. Therefore, in the Commission's opinion, Mr. Moliné O'Connor did not have a judicial pronouncement analyzing the reasonableness of the measure imposed against him, which meant that he did not have real access to justice.

493. Likewise, it considered that in the complaint in which the removal of Mr. Moliné O'Connor was questioned, the Court limited itself to analyzing whether the victim's right to judicial guarantees was respected, indicating that its power of review extended to that point, "without this meaning that it would issue an opinion on the merits of the substantive motives, since these are exclusive to the Congress of the Nation, which acts as a political body". Therefore, the Commission understood that he was denied the possibility of having an



effective judicial review of his removal, particularly if the removal had been grounded on the judge's legal criteria.

494. For the IACHR, it was also clear that the Supreme Court decided not to analyze the specific arguments regarding the victim's right to an impartial body and the exercise of his right to a defense, and therefore it considered that this part of the decision also failed to provide an effective judicial analysis of the alleged violations of the rights invoked. For these reasons, the Commission concluded that the State violated the right to judicial protection and the guarantee of due motivation.

495. On the other hand, the Commission pointed out that, because Mr. Moliné O'Connor was removed from office in a process in which violations of both due process and the principle of legality were committed, and because the impeachment trial was conducted in a manner incompatible with the principle of judicial independence, the State also violated the right of judges to have access to public office "under conditions of equality".

496. Finally, it noted that the Third Chamber of the Federal Administrative Litigation Chamber issued a decision that restored the life pension and ordered the State to pay the unpaid sums of money, and therefore considered that the State had complied with ceasing and remedying the situation denounced, with respect to the alleged violation of the rights to private property and social security. Notwithstanding, the Commission did not have information to prove that the sum of money had been effectively returned to the family of Mr. Moliné O'Connor and considered that the delay caused the victim to be unable to receive his pension, affecting his quality of life, and therefore considered that the State was responsible for the violation of the guarantee of reasonable time

497. Based on these findings of fact and law, the Inter-American Commission concluded that the Argentine State is responsible for the violation of the principle of judicial independence, the right to an impartial authority, the right to an adequate motivation, the right to a reasonable time, the principle of legality, the right to political participation and the right to judicial protection enshrined in Articles 8(1), 9, 23 and 25(1) of the American Convention, in relation to the obligations established in Articles 1(1) and 2 of the same instrument, to the detriment of Mr. Moliné O'Connor

- **Elio Artola Navarrete vs. Nicaragua.**

498. The case concerns the international responsibility of the Republic of Nicaragua for the violation of trade union rights against Elio Artola Navarrete.

499. Mr. Elio Artola is a physician specialized in plastic surgery who worked until his retirement for the Ministry of Health (MINSA), at the Antonio Lenin Fonseca Hospital (HEALF) and has served as a union leader in various organizations, including as president of the Board of Directors of the Union of said hospital. Since 2003, he has been working full time in his union duties, with the approval of MINSA.

500. On April 7, 2014, the doctors, in an Extraordinary General Assembly, elected the new Board of Directors of HEALF, which was formed by Mr. Artola as President, Roberto López as Vice President and Mauricio Vanegas as Organizing Secretary. On April 9, 2014, Elio Artola, in his capacity as President, sent a letter to the Head of Union Associations of the Ministry of Labor requesting that the certification of the new Board of Directors be approved, for which the corresponding information was attached. According to the information provided, Mr. Artola, together with other union leaders, filed an action for the protection of constitutional rights against the Ministry of Labor and others for having remained silent regarding the request for registration and obtaining the legal status of the new Board of Directors of the HEALF Union.

501. On February 4, 2015, the Constitutional Chamber of the Supreme Court of Justice issued judgment No. 26 by which it declared the action for the protection of constitutional rights appeal well founded and, consequently, ordered the authorities of the Ministry of Labor to grant the certification and registration requested by the New Board of Directors of the Union. According to the HEALF Union, subsequent to the

judgment, they made several approaches to the Directorate of Union Associations of the Ministry of Labor to issue the certification, however, this was denied. Subsequently, the union sent letters to various authorities requesting that, in compliance with the judgment, they comply with the registration and certification of the new Board of Directors, without obtaining a response.

502. According to the information provided by the petitioner, the dismantling of the trade union organizations that Mr. Artola led, in addition to the impossibility of continuing to perform his union work, had an impact on his physical and psychological integrity, which led him to undergo pharmacological treatment and suffer episodes of depression and suicidal ideas. According to the medical-psychological report provided in the file, he is facing old age with difficulties to take care of his health. According to this source, “he is forbidden to enter public hospitals, where he cannot even request medical assistance”. Additionally, there are medical reports in the file referring to his physical health that show hypothyroidism, problems in the lumbar spine and *dupuytren’s* disease in both hands.

503. In its Admissibility and Merits Report No. 308/23, the IACHR stated that Mr. Elio Artola’s rights were infringed in the case as a member of the union and that he was unable to exercise the position to which he was elected.

504. The Commission considered that the State, by not granting the certification of the Board of Directors, despite the order of the judicial body, and thus leaving the HEALF Union without representation, did not guarantee the functioning of the Union, affecting the victim’s rights of association and trade union freedom. Likewise, the Commission considered that more than 8 years after the judicial decision in favor of Mr. Artola without the execution of the sentence, as well as the ineffectiveness of the judicial mechanisms subsequently activated to achieve such compliance, constitute a violation of his right to effective judicial protection. Likewise, it understood that the excessive delay in complying with the judicial decision is not attributable to the complexity of the case or to the procedural activity of the victim or his representatives, but to the State authorities, being the duty of the State to enforce the final decisions, in such a way that the rights at stake are protected.

505. Based on these considerations, the IACHR concluded that the State is responsible for the violation of the rights to freedom of association, trade union freedom, judicial guarantees and judicial protection.

506. In addition, it observed that the facts of the case and, in particular, the failure to implement the decisions adopted by the authorities contributed to the infringement of Mr. Artola’s physical and psychological integrity. In this regard, the Commission noted that the petitioner alleged, without the State refuting it, that the disbanding of the trade union organizations led by Elio Artola, together with the impossibility of continuing to carry out his trade union work, had an impact on his physical and psychological integrity. In particular, the information available to the IACHR indicates that Mr. Artola underwent pharmacological treatment and that he suffers from episodes of depression and suicidal ideas, on which the State did not comment. Based on these considerations, it concluded that the State is responsible for the violation of the right to humane treatment.

507. Based on said considerations of fact and law, the Inter-American Commission concluded that the State of Nicaragua is responsible for the violation of the rights to humane treatment, to judicial guarantees, to freedom of association, to judicial protection, to progressive development and to trade union rights, established respectively in Articles 5, 8, 16, 25 and 26 of the American Convention and Article 8 of the Protocol of San Salvador, in relation to the obligations established in Article 1(1) of the Convention, to the detriment of Elio Artola, in the terms established in the report.



- **Indigenous Peoples Mashco Piro, Yora and Amahuaca v. Peru.**

508. The case relates to the international responsibility of the Peruvian State for the violation of rights to the detriment of the indigenous peoples in voluntary isolation and initial contact (hereinafter "PIACI") Mashco Piro, Yora and Amahuaca.

509. The Mashco Piro are an indigenous people in voluntary isolation that inhabits various parts of the Peruvian territory, including the Purús River basin in southern Ucayali and the Las Piedras and Manu river basins in northern and western Madre de Dios. The Yora are an indigenous people in initial contact, whose presence has been recognized within the Kugapakori, Nahua, Nanti and other Territorial Reserves and is also present within the Madre de Dios Territorial Reserve. The Amahuaca are an indigenous people in initial contact, located in the Murunahua Territorial Reserve and also in the Madre de Dios Territorial Reserve.

510. Both the petitioners and the State agree that, in Peru, there are legal figures that serve to categorize the lands and territories of indigenous peoples in isolation and initial contact, one of these being that contemplated in the legal regime of Law No. 28736 of May 18, 2006. Article 2.d of this law establishes that the indigenous reserves are the "lands delimited by the Peruvian State, of transitory intangibility, in favor of the indigenous peoples in isolation or in initial contact, and as long as they maintain such situation, to protect their rights, their habitat and the conditions that ensure their existence and integrity as peoples". However, the law allows the granting of rights for the use of natural resources whose exploitation is of public necessity for the State.

511. The State recognized the Mashco Piro people through Supreme Decree N°001-2014-MC of April 4, 2014, and has established their existence in spaces such as the Madre de Dios Territorial Reserve, the Murunahua Territorial Reserve, and the Mashco Piro Indigenous Reserve. To adapt this territorial reserve to the provisions of Law No. 28736 and its regulations, the recategorization process began in 2014, in order to acquire the status of Indigenous Reserve, which would grant the quality of intangibility to their territories.

512. As part of the categorization process, in 2016, the non-governmental organization World Wildlife Fund Peru conducted an Additional Categorization Study (hereinafter "EAC"), which determined the need to expand the current area of the reserve, given the identification of the continued presence of various indigenous peoples in voluntary isolation in areas not considered as part of the reserve.

513. The EAC was approved on November 30, 2016, by the Multisector Commission. According to the petitioner, the presence of the PIACI in areas not included within the recognized territorial or indigenous reserves is a point of particular concern, since they are in proximity to various activities carried out by third parties, which places them at risk of contact with third parties and puts their integrity and life at risk. The State has indicated that due to the overwhelming evidence of the presence of isolated Mashco Piro indigenous people that have been living outside of the Madre de Dios Territorial Reserve in recent years, the study proposed expanding the reserve's area on the eastern side of the reserve. Both the State and the petitioner have reported that to date, the process of categorizing the Madre de Dios Territorial Reserve has not been completed.

514. Despite being peoples in isolation, in recent years, there have been several sightings of members of the Mashco Piro people, as well as incidents with members of other native communities, which have even resulted in the death of a community member by the impact of Mashco Piro arrows. For example, between December 2019 and July 2020 a report recorded at least 15 sightings of members of these indigenous peoples, in the regions of the Nueva Océania Community and the Monte Salvado Native Community on the Tahuamanu River.

515. In addition, according to the information provided by the petitioner, several activities have been carried out within the Madre de Dios Territorial Reserve that have impacted the Mashco Piro, Yora and Amahuaca peoples.

516. These include logging activities, illegal logging activities, mining activities and infrastructure projects. With respect to the granting of forest concessions, although according to the information contained in the file, there are currently no forest concessions, forest harvesting units or productive forests overlapping the indigenous territory, the EAC identified 13 forest concessions, of which 10 are still in force.

517. Due to these facts, on June 2, 2008, the petitioner filed an action for the protection of constitutional rights before the First Mixed Court of Tambopata against the Ministry of Women and Human Development, the National Institute for the Development of Andean Amazonian Peoples and the Regional Agrarian Directorate of the Ministry of Agriculture of Madre de Dios due to the imminent danger to the property and lives of the PIACI due to illegal logging, hydrocarbon and infrastructure activities. On May 31, 2012, the First Mixed Court of Tambopata declared the nullity of all the proceedings, concluding the process and ordering its definitive archiving. Finally, on June 20, 2012, the resolution declaring the nullity was declared consented and the process was ordered to be filed.

518. In its Admissibility and Merits Report No. 397/22, the Commission determined that the State has not adequately recognized the ownership of the territories inhabited by the Mashco Piro, Yora and Amahuaca peoples, in non-compliance with its obligations regarding the right to property. In particular, although it took note of the progress made by the State in the recognition of the territories of the PIACI, it considered that the presence of indigenous peoples in voluntary isolation in areas of different legal categories demonstrates that the State has not guaranteed the full integrity of their territories and has generated in fact a kind of fragmentation that determines the existence of physical spaces that have greater protection than others.

519. Similarly, the IACHR noted that, in the initial delimitation of the Madre de Dios territorial reserve, the State did not demonstrate that it had adequately considered the movement and settlement patterns of the indigenous peoples, as well as their traditional mode of survival and ancestral practices, and that the process of recategorization of the reserve initiated in 2014 had not yet concluded, with the result that the expansion of the area has not been made viable by the authorities.

520. The Commission also observed that the current situation of the territories of the Mashco Piro, Yora and Amahuaca indigenous peoples, especially in the Madre de Dios territorial reserve, in the absence of a freehold title, does not allow for a clear delimitation of the extensions of these territories, which shows a level of protection that does not correspond to the highest level provided for by the domestic regulations. In addition, the Commission indicated that the lack of determination of the buffer zones prevents the existence of safeguards to avoid the effects of various kinds that could be caused by contact or activities carried out in adjacent areas. The Commission considered that this omission affects the right to collective property due to the risk situation to which they are exposed.

521. Additionally, it pointed out that the provision contained in Article 5 paragraph c of Law No. 28736 is not compatible with the duty to adopt regulatory provisions to guarantee the rights of indigenous peoples in voluntary isolation and initial contact, since it establishes an exception for the performance of activities of natural resources susceptible of exploitation whose exploitation is of “public necessity”, without considering the protection and subsistence of the PIACI and without establishing safeguards and regulations that define the contents and scope of the public necessity.

522. With respect to the projects developed in the territories of the PIACI, the IACHR concluded that the regulations in force, in their application in the specific case, did not effectively protect the intangibility of the territory of the Mashco Piro, Yora and Amahuaca indigenous peoples, nor guarantee that any restriction to their property would be compatible with Inter-American standards on the matter. In particular, it noted that, despite the adoption of regulations developed by the State to protect the PIACI, the lands where they live face constant pressures due to the presence of outsiders and forestry and hydrocarbon concessions, illegal logging and drug trafficking in their territories.

523. The Commission also pointed out that there is evidence of hydrocarbon exploration activities in Lots 157 and 187, located in the department of Madre de Dios and that, between 2008 and 2012, Lot 157

was concessioned to the PETROPERÚ - DISCOVER Consortium, and was included in subsequent bidding processes until 2015, as well as that in 2016 road infrastructure projects were approved that crossed the departments of Madre de Dios and Ucayali, in territories where the Mashco Piro, Yora and Amahuaca peoples carry out their traditional activities. The Commission noted that these concessions and bidding processes were granted without the State taking into account the intangibility that the PIACI territory should have and without taking the necessary measures to ensure a consultation process carried out in accordance with the no-contact principle. In this sense, the Commission considered that the State violated the right to prior consultation, the right to property and political rights.

524. On the other hand, the Inter-American Commission observed that, in the absence of protection of territorial rights, activities have been carried out by third parties that have had an impact on the territory of the victims. Therefore, it understood that the licenses granted, as well as the activities, even of an irregular nature, that are or have been carried out without the State having adopted the corresponding measures to protect the victims' territory, have affected their right to effectively control and have control and use of their territory without any type of interference.

525. The Commission found that the entry of state, private or third party companies into the Madre de Dios territorial reserve, and the fact that its territory has not been recognized by the State through the title that grants it the status of an indigenous reserve, prevents the Mashco Piro, Yora and Amahuaca indigenous peoples from having free access to their lands and exposes them to a situation of contact, thus affecting their traditions and their cultural and spiritual survival. For these reasons, it found that the State is responsible for the violation of the rights to property and self-determination.

526. Finally, with respect to the process initiated through the action for the protection of constitutional rights filed by the petitioner, the IACHR noted that it was extremely long, repetitive, delayed and formalistic, which in effect harmed the rights of the Mashco Piro, Yora and Amahuaca communities. It also indicated that this delay cannot be justified by the complexity of the process and that, on the contrary, it can be explained by the conduct of the judicial authorities. In this sense, taking into consideration the lack of effectiveness of the constitutional appeal, the indications of lack of due diligence in the process, as well as the unjustified delay of justice, the Commission considered that the rights to judicial guarantees and judicial protection were violated.

527. Based on the findings of fact and law, the Inter-American Commission concluded that the State is responsible for the violation of the rights established in Articles 8(1) (fair trial), 13 (freedom of expression), 21 (collective property), 23 (political rights), 25 (judicial protection) and 26 (cultural rights) of the American Convention, in relation to Article 1(1) of the same instrument, to the detriment of the Mashco Piro, Yora and Amahuaca peoples. The Commission also observed that the State violated Article 21 of the American Convention in relation to Article 2 of the same instrument.

- **Workers of Empresa de Fertilizantes de Centroamérica (FERTICA) v. Costa Rica.**

528. The case refers to the international responsibility of the Costa Rican State for the denial of justice in cases of dismissals and restrictions to union rights carried out by the company called Fertilizantes de Centroamérica (FERTICA) to the detriment of workers affiliated to the union Asociación de Trabajadores de Fertilizantes (ATFE).

529. The ATFE is an entity registered in the records of the Department of Social Organizations of the Ministry of Labor and Social Security of Costa Rica since March 27, 1969. The ATFE Union and the FERTICA Company had entered into several collective bargaining agreements since the 1970s; the agreement in force at the time of the facts was signed on September 15, 1992, for a term of 2 years. On April 12, 1995, the representatives of FERTICA and the ATFE Union agreed to extend the collective bargaining agreement in force until September 15, 1996.

530. On September 9, 1995, the private company FERTICA dismissed all its workers, 265 of whom were members of the ATFE union, including all the members of the union's board of directors, and cancelled all of the workers' benefits. The decision to dismiss the workers was not previously submitted to the ATFE union. In this regard, the Costa Rican judicial authorities considered it proven that the purpose of the liquidation of FERTICA was to extinguish the collective bargaining agreement and "to avoid continuing to provide its employees with the privileges contained in said agreement"; and considered that it was not proven that "the dismissals of the workers were made entirely for economic, productive, marketing or administrative reorganization of the company".

531. As of that date, FERTICA ceased to apply the collective bargaining agreement and the committees created by it, such as the Labor Relations Board, Labor Liability Fund, Housing Fund, Supplementary Retirement Fund, Supply Warehouse and others were deactivated. Subsequently, as of September 10, 1995, the company rehired 357 people under new conditions, governed by the Labor Code, among those rehired were the members of the Board of Directors of ATFE.

532. According to the information provided by the petitioner, on November 30, 1995, the ATFE union went on strike at FERTICA. In addition, the union leaders initiated a judicial procedure of Conciliation in Economic and Social Conflict to avoid reprisals due to the strike; the petitioners point out that in the framework of this process, a precautionary measure prohibiting dismissals without judicial authorization was issued. However, on December 4, 1995, the members of the Board of Directors of the ATFE and the other strikers were again dismissed for "absences from work and serious misconduct" as a result of their participation in the strike.

533. On June 8, 1996, the workers' assembly appointed a new board of directors of the ATFE union and Mr. Marco Antonio Guzmán began to exercise the position of General Secretary, for which he requested FERTICA on several occasions in writing that the checks for union dues and other items be delivered to him. On June 21, 1996, a new board of directors was appointed, different from the one that was already legalized, and Mr. Tomás Cortés was appointed as General Secretary in the new parallel board of the union called SITRAFER.

534. In connection with the internal proceedings, on August 1, 1995, the then General Secretary of the ATFE Union filed a complaint for union persecution and unfair practices against FERTICA with the Costa Rican Labor Inspectorate. On September 11, 1995, he filed another complaint with the same entity for violation of several articles of the collective bargaining agreement. The report of the labor inspectors issued on November 20, 1995 verified that FERTICA had "annulled the collective bargaining agreement in its entirety in violation of labor regulations"; it also proved the existence of sufficient elements to determine anti-union actions of union persecution and unfair practices against ATFE. This resolution was confirmed in higher courts and on September 10, 1996, the National Director and General Labor Inspector filed a complaint against the company for violation of labor laws before the Civil and Labor Mayor's Office of Puntarenas.

535. On June 26, 1997, the mayor's office rejected the request of the union's representative to intervene as a party in the process, despite the fact that the initial complaint before the labor inspectorate was filed by the representatives of ATFE. In this process, a first instance judgment was issued on two occasions. First, the Civil and Labor Mayor's Office declared the action time-barred on November 5, 1997, and subsequently, on April 23, 1998, the Small Claims Court of Puntarenas ruled that the action for violation of labor and social security laws was time-barred, which was confirmed in the second instance.

536. Similarly, FERTICA's workers filed two lawsuits before the labor courts. The first was filed on February 9, 1996, by the members of the board of directors of the ATFE union, claiming the reinstatement of the workers, payment of back wages, as well as damages. On November 30, 2007, the Labor Court of the Second Judicial Circuit of San José partially allowed the claim for damages and rejected the other claims. Subsequently, on February 29, 2008, the Labor Court, Fourth Section, Second Judicial Circuit of San José, revoked the first instance judgment, declared the dismissals of the workers null and void, ordered the reinstatement in their positions, the payment of back wages and legal interest, and rejected the payment of damages. The petitioner

pointed out that despite the existence of a judgment, the workers cannot enforce their rights, since due to the delay in the judicial process the company had time to dispose of its assets.

537. Also, the ATFE union filed a lawsuit on March 8, 1996, claiming the reinstatement of the Collective Bargaining Agreement and damages. On August 24, 2006, the Labor Court of the Second Judicial Circuit of San José ordered the reinstatement of the collective bargaining agreement, as well as the payment of salary increases to the workers. In addition, it denied the payment of damages to the workers and the union and rejected the request for a preventive seizure of the company's assets. This judgment was revoked on September 28, 2006, by the Labor Court, Fourth Section, Second Judicial Circuit of San José, which accepted the exception of lack of legal standing filed by the company. Finally, on March 30, 2007, the Second Chamber of the Supreme Court of Justice, hearing the cassation appeal, revoked the judgment and ordered the reinstatement of the collective bargaining agreement entered into in 1994 with the ATFE union and the payment of two million five hundred thousand colones to the plaintiffs. The petitioners indicated that, due to the excessive time taken by the judicial courts, the judgment was not enforced.

538. The petitioners also filed three constitutional appeals, denouncing the different situations generated by the mass dismissal and the annulment of the collective bargaining agreement. All the appeals were rejected by the Constitutional Chamber on the grounds that they should be filed and resolved through ordinary labor or administrative channels before the Ministry of Labor.

539. In its Merits Report No. 331/22, the Commission noted that, with respect to the complaints filed with the labor inspectorate, the decision adopted by the Puntarenas Civil and Labor Mayor's Office to reject the intervention of the secretary general of the ATFE union in the judicial process affected the right to due process of the FERTICA workers. In this regard, it recalled that the Committee on Freedom of Association of the International Labor Organization has established that neither legislation nor its application should limit the right of employers' and workers' organizations to represent their members, including in the case of individual labor claims. Furthermore, it noted that the aforementioned judicial authority did not make any assessment as to the relevance or otherwise of the possible participation or intervention of the workers whose rights were allegedly violated and limited itself to transcribing the procedural rules.

540. The IACHR also noted that this refusal disregarded the ATFE union representatives' status as complainants in the proceedings before the Labor Inspectorate, and led to their exclusion from a judicial process in which the existence of union persecution and the commission of unfair practices and violation of the collective bargaining agreement by the company were established.

541. On the other hand, it noted that the legal basis used by the Small Claims Court of Puntarenas to declare the statute of limitations of the case was the criminal law, specifically Article 82 of the Criminal Code, which establishes that the criminal action prescribes in eight months in the case of misdemeanors. This, despite the fact that the Labor Code itself, in force at that time, provided that the computation, suspension, interruption and other matters relating to the statute of limitations were governed by the provisions of the Civil Code. In this regard, it asserted that the classification of the facts denounced as contraventions, in light of the criminal provisions, as well as the application of a different regulation from the one contemplated by the Labor Code itself, determined the statute of limitations of the case and consequently severely affected the due process guarantees of FERTICA's workers.

542. In addition, the Commission considered that it was contradictory that the aforementioned judicial authority, when assessing the elements of the statute of limitations, considered that there was inertia on the part of the holders of the right, the workers of FERTICA, even though it expressly recognized that they had filed the complaint before the Labor Inspectorate on September 11, 1995, that is, two days after they had been dismissed. It pointed out that, given the previous procedure followed before the Ministry of Labor, any delay in the presentation of the case before the labor courts was attributable to said entity and not to the workers, who validly and in a timely manner went to the Labor Inspectorate with the purpose of finding a solution to the unjustified dismissal they had suffered. Therefore, it held that the State also failed to comply with its duty of due diligence in the labor proceedings.



543. It also warned that, despite the decision of April 2, 2001 by which the Small Claims Court of Puntarenas declared the company to be the author of labor practices to the detriment of the defendant ATFE, 22 years passed without any of the victims receiving the amounts due for the declared violation, for which reason it considered that there are sufficient elements to conclude that the State did not guarantee that the labor proceedings were processed within a reasonable period of time, particularly with regard to the enforcement of the judgments.

544. With respect to the ordinary labor lawsuits, the Commission observed that both proceedings lasted approximately 11 to 12 years from the filing of the lawsuits to the issuance of the final judgments that resolved the respective appeals and cassation appeals. The Commission noted that, although these rulings were favorable to the union's workers, they came with prolonged delays that were not duly justified and constitute, in and of themselves, violations of the guarantee of reasonable time.

545. It also noted that the State did not demonstrate that it had taken effective steps to achieve successful enforcement in these cases more than 15 years after the labor judgments were handed down. In this regard, the IACHR considered that the FERTICA workers were not guaranteed effective judicial protection, since, although they have been allowed to avail themselves of legally provided judicial remedies and obtain favorable decisions, these were not enforced due to unjustified delays on the part of the State.

546. In relation to the actions for the protection of constitutional rights filed, the Commission stated that these did not guarantee an analysis of the merits of the victims' claims of violations of rights such as labor, freedom of association, and strike. The Commission particularly noted that, in the case of the third action, the Constitutional Chamber of the Supreme Court did not even clearly establish the means of resolution since it referred the case indistinctly to the ordinary labor jurisdiction and to the administrative sphere under the responsibility of the Ministry of Labor. Consequently, the Commission determined that the victims did not have effective access to judicial protection in a simple manner because of the lack of certainty and clarity regarding the appropriate remedies to be presented in the face of their unjustified dismissals and the annulment of the collective bargaining agreement.

547. With respect to labor stability, the Commission considered that, in the face of the arbitrary dismissal by the company, the State did not adopt adequate measures to protect the violation of the right to work attributable to third parties. The Commission also noted that the State did not guarantee that the labor proceedings, especially those related to the enforcement of judgments, were processed within a reasonable period of time, and therefore, on the occasion of the arbitrary dismissal of FERTICA's workers, it determined that the State did not protect the right to labor stability, violating the right to judicial guarantees and judicial protection, as well as the right to work.

548. Finally, the Commission considered that the dismissal of the ATFE union representatives went beyond the violation of the individual right to freedom of association and deprived the FERTICA workers of the representation of their then union leaders. The Commission also found that the rejection of the union representative's request to intervene as a party in one of the judicial proceedings prevented the effective participation of the workers through their union representation. Consequently, the Commission concluded that the State is responsible for the violation of the right to freedom of association in labor matters.

549. Based on said considerations of fact and law, the IACHR concluded that the State is responsible for the violation of the rights established in Articles 8(1), 16(1) and 25 of the American Convention in relation to Articles 1(1) and 26 of the same instrument, to the detriment of the workers and the ATFE union of the FERTICA company.

- **Juan Eduardo Cejas vs. Argentina.**

550. The case concerns the international responsibility of Argentina for the violation of the right to appeal the conviction to the detriment of Mr. Juan Eduardo Cejas.

551. Mr. Cejas was arrested on January 23, 2001, while he was driving a car with another person. The police personnel who stopped the vehicle found four packages of marijuana inside. In its decision dated August 5, 2002, the Oral Court sentenced Mr. Cejas to four years imprisonment and a fine of \$225 for being criminally responsible for the crime of transporting narcotics as a perpetrator as defined in article 5.c of Law 23.737.

552. In view of the conviction handed down by the Oral Court, Mr. Cejas' public defender filed an appeal for cassation. In this brief, the defense pointed out that, although the facts of the case were proven, the participation that Mr. Cejas may have had was not established. In this line, the defense counsel asserted that the conviction did not prove the presence in the case of the intent required by the criminal offense of drug trafficking. In the same appeal, the defense counsel stated that the crime of transportation of narcotics was not proven since it should have been proven not only that the action of taking the narcotics from one place to another was carried out, but also that such transportation was carried out "within the chain of illicit trafficking, integrating a phase of the distribution process and with the knowledge of its subsequent introduction into the illegal trafficking".

553. On August 29, 2002, the Oral Federal Criminal Court No. 1 of the City of La Plata decided "to dismiss the appeal for lack of grounds". To decide in this way, the Court first pointed out that the arguments raised by the defense were "reiterations of the allegations that were dealt with" in the conviction and "mere divergences on the assessment of the facts and what was resolved" by that oral court. Likewise, the court pointed out that "the way in which the Oral Courts characterize a conduct is exempt from a new study by the Chamber of Cassation [...] since it is the Oral Court itself that issued the conviction who has evaluated each and every one of the evidence offered, provided and ordered". Finally, it concluded by stating that "since there was no violation of the applicable norms and only a discrepancy with the application of the facts [...], the appeal is not available, since it is only limited to overcoming the errors of law that the trial courts may have made".

554. In response to this decision, Mr. Cejas' Public Defender filed a complaint for denial of the cassation appeal. On September 13, 2003, Chamber I of the National Chamber of Criminal Cassation dismissed the complaint filed by the defense. In its judgment, Chamber I pointed out that, with respect to the complaint for the failure of the Oral Court to establish the intent to transport the drug, said issue was directly linked to the factual and evidentiary material on which the first instance court ruled.

555. In view of this decision, the Official Public Defender before the Chamber of Criminal Cassation filed an extraordinary federal appeal on behalf of Mr. Cejas. On October 16, 2002, Chamber I of the National Chamber of Criminal Cassation decided to declare the extraordinary appeal inadmissible. Finally, on March 7, 2003, the defense filed a complaint before the Supreme Court of Justice for denial of the extraordinary federal appeal. On September 23, 2003, the Supreme Court of Justice of the Nation decided to declare "inadmissible" the extraordinary appeal filed, in application of the provisions of article 280 of the Code of Civil and Commercial Procedure of the Nation.

556. In its Admissibility and Merits Report No. 391/22, the Commission noted that the normative limitation in the Code of Criminal Procedure of the Nation for the admissibility of an appeal in cassation against a conviction in force at the time of the facts made it impossible, in the specific case, for Mr. Cejas to exercise his right to a full review of the judicial decision issued by the court of first instance. The Commission observed that the decisions adopted reflect the fact that the victim did not have a remedy that would guarantee a comprehensive review of the conviction.

557. The Commission considered that the decision reached by the Oral Criminal Court should have been subject to a review by a higher body, in line with inter-American standards regarding the comprehensive review of the conviction.

558. On the other hand, the Commission noted that, in response to the conviction, the defense raised a second grievance related to the subsumption of the criminal offense of transporting narcotics to the conduct committed by Mr. Cejas. On this point, the Commission noted that the judgment of the National



Chamber of Criminal Cassation of September 13, 2002, did indeed address the grievance raised and, citing previous jurisprudence of that court, rejected the defense's argument that the transportation of narcotics must be carried out in the context of a chain of trafficking. However, neither the Chamber of Cassation nor any other higher court independently analyzed whether the conduct attributed to Mr. Cejas constituted the crime of drug trafficking. In this regard, the Commission concluded that the Argentine State did not guarantee Mr. Cejas' right to obtain a full review of his conviction.

559. Based on these considerations of fact and law, the Commission concluded that the State is responsible for the violation of the rights to appeal the conviction and to judicial protection enshrined in Articles 8(2)(h) and 25(1) of the American Convention, respectively, in relation to the obligations established in Articles 1(1) and 2 of the same instrument, to the detriment of Juan Eduardo Cejas.

- **Members of CENIDH vs. Nicaragua.**

560. The case refers to the international responsibility of the Nicaraguan State for the violation of the rights enshrined in the American Convention, as a consequence of the continuous acts of harassment, threats, criminalization, persecution, stigmatization and attacks against the members of the Nicaraguan Center for Human Rights (CENIDH), the arbitrary cancellation of the legal personality of CENIDH, the search and theft of its facilities, as well as the impossibility of accessing justice to the detriment of its members.

561. CENIDH is an organization for the promotion and protection of human rights in Nicaragua that was founded in May 1990 and obtained its legal status on September 26 of the same year. CENIDH and its members have been subjected to multiple attacks, accusations and harassment for more than a decade as a result of their work.

562. According to the information provided by the petitioner, this situation has worsened since April 18, 2018, and led to three main groups of infringements. First, since May 9, 2018, the State has carried out various acts of harassment, persecution and criminalization against the work of CENIDH and its members, which included, among others, stigmatization and disqualification on social networks and in the media, siege of the headquarters and monitoring by police officers, and cutting off internet service. The petitioner also reported aggressions committed particularly against sixteen members of the organization.

563. Secondly, CENIDH members suffered a series of attacks by police officers and members of the Sandinista Youth to the detriment of their right to social protest. Among others, these acts occurred on November 6, 2018, while accompanying the sit-in of the relatives of more than 500 political prisoners held outside the Central Judicial Complex in Managua, on December 9, 2018 when the National Police denied CENIDH authorization to hold a march in the framework of International Human Rights Day, when it denied authorization to hold the march "We are all April" called for April 17, 2019, during an activity commemorating Women's Day on the premises of the Nicaraguan feminist group "La corriente", and while accompanying journalist Carlos Fernando Chamorro on December 14, 2020, in commemoration of the raid on the media outlet "Confidencial".

564. Third, CENIDH suffered the cancellation of its legal personality, and the search and theft in its facilities. On December 10, 2018, CENIDH's facilities were surrounded by approximately 14 patrol cars with police forces that prevented CENIDH members from entering its offices, without explanation. According to allegations by both parties, on December 11, 2018, Sandinista deputy Filiberto Rodríguez filed, at the request of MIGOB, a petition for the cancellation of CENIDH's legal personality. As a result of such procedure, on December 12, 2018, the National Assembly issued the Decree of Cancellation of the Legal Personality of CENIDH, which was published in the Gazette of the Official Gazette on December 18, 2018. As a consequence of the cancellation of the legal personality of CENIDH, its assets were liquidated in accordance with the provisions of Article 25 of Law 147. On December 14, 2018, the Sixth District Criminal Court of the Managua District Court validated such decision.

565. In the framework of said cancellation, during the night of December 13, 2018 and the early morning of December 14, more than 40 members of the police force raided the CENIDH facilities, by entering through the roof and the back of the building. During the raid, the agents broke the locks on the doors of the offices and desks, and took at least 20 computers, two vans, printers and a photocopier, among other belongings. According to information provided by the petitioner, it was not until the afternoon of December 14, 2018, when the MIGOB notified CENIDH of the resolution to cancel the legal status of CENIDH, through which it was determined that, movable and immovable property and any other assets became the property of the State of Nicaragua, and CENIDH was urged to deliver within 72 hours the accounting books, minutes book and membership record book.

566. Faced with these facts, the members of CENIDH filed several appeals, both to claim for the cancellation of its legal personality, as well as against the raid of its offices and removal of assets. On January 25, 2019, an action for the protection of constitutional rights was filed against the Department of Registration and Control of Non-Profit Organizations of the MIGOB for ordering and executing the raid of CENIDH, without obtaining a response from the judicial authorities. On January 17, 2019, members of the organization filed a complaint against the Director General of the National Police, both for the theft of belongings of CENIDH members, as well as for the crime of simple kidnapping of Mr. José del Carmen Morales, guard of the offices, violation of domicile, illegal trespassing, aggravated robbery with force, usurpation of private domain and abuse of authority or functions. According to information made available to the Commission, to date, there has been no progress in the investigation of this complaint.

567. In its Merits Report No. 196/23, the Commission observed that in the framework of CENIDH's work in defense of human rights, its members have peacefully carried out and accompanied different demonstrations to demand the recognition and guarantee of various human rights. However, the Commission noted that these protests have been repressed and dissolved through the use of police force and that the legitimate exercise by CENIDH members of their right to freedom of association in favor of their work in defense of human rights was not guaranteed by the State and consequently led to the attacks they suffered to their personal integrity. The IACHR understood that this occurred, in general, through the dispersion of the demonstrations, the police belts that surrounded and pushed its members, and in particular, with the acts of physical violence suffered by Mr. SLM and Mr. Guillermo Gonzalo Carrión by members of the Sandinista Youth in front of agents of the National Police, which in turn, generated a violation to their detriment of their right to association.

568. Regarding the State's actions in relation to the exercise of the rights of assembly and freedom of expression exercised by the members of CENIDH, the Commission noted that, in addition to dissuading peaceful demonstrations, the State, through a resolution issued by the National Police, denied the holding of the march in commemoration of International Human Rights Day on the grounds that CENIDH was "defunct since April 25, 2018", making any action after that date "invalid". Similarly, the Commission noted that said resolution was based on Article 17 numeral 6 of Law 872, from which the National Police is empowered to issue licenses and permits for any event or activity in general and that it is incompatible with the Inter-American standards, since the requirement in itself of a prior permit to hold a demonstration unreasonably restricts the rights to freedom of assembly and freedom of expression. In addition, the Commission noted that the CENIDH was previously classified as a threat, thereby de facto restricting the right of its members to freedom of association and expression. By virtue of the foregoing, the Commission concluded that the State did not create the material conditions to guarantee the factual conditions in which the members of CENIDH could freely develop their right to association and personal integrity, nor their rights to assembly and freedom of expression. Consequently, the IACHR determined that the State is responsible for the violation of these rights.

569. Likewise, the Commission considered that the State is responsible for the cancellation of the legal personality of CENIDH in an arbitrary manner, without due motivation, without guaranteeing their right to be heard and to be able to defend themselves, as well as for not having complied with its conventional obligations in favor of guaranteeing the development of their activities in a free manner without the imposition of obstacles. The Commission understood that there were sufficient elements to consider that the violations caused to CENIDH members in general and the cancellation of the organization's legal personality in particular,

were related to its work in the defense of human rights. Thus, the Commission considered that the facts of the case had the consequence that they could not continue to exercise their freedom of association within the framework of that organization. As a result, the IACHR concluded that the State did not guarantee their freedom of association.

570. In addition, the Commission emphasized that the facts of this case implied a misuse of power, since a legal power of the State was used with the objective of silencing social dissidence through the cancellation of the legal personality of CENIDH. The Commission noted that this misuse of power had an impact on the exercise of freedom of expression, not only on the members of CENIDH, but also on the social dimension of this right, which not only restricted freedom of association and individual freedom of expression but also obstructed the work of promoting and defending human rights. Consequently, the Commission found it proven that the real purpose was to silence voices critical of the government, which in this case constituted an undue restriction on the exercise of the right to freedom of expression and association of the members of CENIDH. In view of the foregoing, the Commission concluded that the State was responsible for the violation of the rights to judicial guarantees, the principle of legality, freedom of expression and the right to association to the detriment of all the members of CENIDH.

571. On the other hand, the IACHR observed that as a result of the raid, the confiscation of their assets and the freezing of their accounts, the defense work of CENIDH members has been hindered and they have had to request support from other organizations in order to continue accompanying individuals and groups in situations of vulnerability. In particular, the IACHR noted with concern that, due to the impossibility of liquidating their assets prior to the raid, many of the case files on which members were working both nationally and internationally were lost. In this sense, the Commission considered as proven the infringement of the rights of the members of CENIDH and therefore the violation of their right to property. Consequently, the IACHR concluded that the State is responsible for the arbitrary dispossession of CENIDH's property, as well as for the lack of observance of judicial guarantees in light of the Inter-American standards, the right to legal guarantees and the right to property.

572. The Commission also warned that the State generally carried out actions of harassment, stalking and surveillance against CENIDH and its members between April and May 2018, as well as that in parallel to the acts of defamation and discrediting, the State additionally and specifically promoted and allowed a smear and criminalization campaign against Mrs. Vilma Núñez. In addition, the Commission warned that, despite the adoption and request for precautionary, urgent and protective measures granted in favor of the members of CENIDH by both the Commission and the Court, the State did not adopt the necessary measures for their protection and thus it did not prevent the violation of their personal integrity or their honor and dignity.

573. Finally, the Commission observed, from the information available to it, that during the raid on the CENIDH facilities, the National Police officers violently tied Mr. José Morales' hands and feet. Likewise, the IACHR noted that once tied up, they beat him, threw him to the ground and confiscated the money he was carrying without any justification, which constituted a violation of his personal integrity.

574. For these reasons, the IACHR concluded that with respect to the set of acts of violence, threats, harassment, persecution and criminalization that by their very nature are linked to the human rights activities of CENIDH, the State is responsible for the violation of the rights to personal integrity and to honor and dignity, to the detriment of the members of CENIDH and particularly responsible for the violation of the right to personal integrity to the detriment of Mr. Morales.

575. On the other hand, the Commission found that the proven facts show that as a result of the constant acts of harassment, persecution and criminalization against CENIDH in general and its members in particular, as well as the context of repression in Nicaragua, SLM, Braulio Abarca, Yader Valdivia, Juan Guadamuz, Juan Arce, Gonzalo Carrión, as well as Mrs. Wendy Mercedes Quintero, Juana Bermúdez, and Wendy Flores, were forced to leave Nicaragua and in the case of Mrs. Francely Navarro from her place of residence in

Nicaragua. For these reasons, the Commission considered that the State is responsible for the violation of the right to residence and movement.

576. In relation to said displacement, the Commission also considered that due to the effects caused as a consequence of the displacement, and given the lack of information presented by the State that would allow it to conclude that the aforementioned victims had received comprehensive humanitarian aid as a result of their displacement; or that the State had adopted measures to lessen their living conditions abroad; or to guarantee their safe return to Nicaragua, the State is responsible for the violation of the right to residence and movement in relation to the right to personal integrity. Likewise, due to the effects that this displacement had on the family dynamics of the victims, the Commission considered that the State is responsible for the violation of the right to family protection, as well as the rights of the child.

577. In relation to the constitutional appeals filed against the cancellation of CENIDH's legal personality and its withdrawal, the Commission considered that the lack of response to these appeals, filed almost four years ago, has been excessive and therefore in violation of judicial guarantees and judicial protection.

578. With regard to the criminal appeal filed for the raid of the CENIDH and the deprivation of liberty of Mr. José del Carmen Morales, the IACHR warned that, despite the filing of the complaint for the facts referred to, from the information provided by the parties, it does not appear that the Public Prosecutor's Office has conducted any investigation or brought any criminal action. Regarding the guarantee of reasonable time, the IACHR considered, after analyzing the corresponding elements, that the lack of action in the instant case, only in the investigation phase, excessively exceeds a period that could be considered reasonable for the State to carry out the corresponding investigative procedures and constituted a flagrant denial of justice to the detriment of Mr. José Morales and has contributed to the facts denounced remaining in impunity, thus affecting the situation of the interested parties.

579. For these reasons, the Commission considered that the authorities had failed to act with due diligence by not conducting and channeling the judicial proceeding in accordance with Inter-American standards, as well as by the delay in initiating a complete and effective investigation.

580. In relation to the acts of threats, harassment, persecution and criminalization exercised both by state agents and third parties related to the government against members of CENIDH, the Commission observed that the government did not carry out, according to information made available to it, any investigation, despite having knowledge of the facts at different times and by different means. For this reason, the IACHR indicated that it did not have elements that would allow it to conclude that the State had initiated any investigation into the acts of harassment, persecution, acts of criminalization and displacement. In sum, the IACHR concluded that the State did not guarantee the right to judicial guarantees and judicial protection.

581. Based on the findings of fact and law in said report, the Inter-American Commission concluded that the State is responsible for the violation of Articles 5(1) and 16 of the Convention, in relation to Article 1(1) thereof, as well as Articles 13 and 15 of the Convention, in relation to Articles 1(1) and 2 of the same instrument. Likewise, that it is responsible for the violation of the rights enshrined in Articles 8(1), 8(2), 9, 13 and 16 of the American Convention in relation to Articles 1(1) and 2 of the same instrument. Additionally, it is responsible for the violation of the rights enshrined in Articles 8(1) and 21 of the American Convention in relation to Article 1(1) of the same instrument; for the violation of the rights contained in Articles 5 and 11 of the American Convention in relation to Article 1(1) of the same instrument, as well as for the violation of the judicial guarantees and judicial protection enshrined in Articles 8(1) and 25(1) of the American Convention, in relation to Article 1(1), all to the detriment of members of CENIDH.

582. The Commission also concluded that the State of Nicaragua is responsible for the violation of Article 5(1) of the Convention, in relation to Article 1(1) thereof, to the detriment of Mr. José del Carmen Morales. On the other hand, the IACHR concluded that Nicaragua is responsible for the violation of Articles 5 and 22 of the American Convention, in relation to Article 1(1), to the detriment of Mr. SLM, Braulio Abarca,

Yader Valdivia, Juan Guadamuz, Juan Arce, Gonzalo Carrión, as well as Wendy Mercedes Quintero, Juana Bermúdez, Wendy Flores and Francely Navarro. Likewise, the IACHR concluded that Nicaragua is responsible for the violation of Article 17(1) of the Convention, in relation to Article 1(1) of the same instrument, to the detriment of the core group of victims.<sup>1</sup> of the same instrument to the detriment of the nuclear family of Mr. Juan Guadamuz, Juan Arce, Gonzalo Carrión, as well as of Mrs. Wendy Mercedes and Wendy Flores, and particularly, in relation to Article 19 of the same Convention to the detriment of the two year old son of Mr. Juan Guadamuz, the 6 and 11 year old daughters of Mr. Juan Arce, the minor daughter of Mr. Gonzalo Carrión, the 7 year old and 7 month old children of Mrs. Wendy Flores and LKDQ, the 17 year old daughter of Mrs. Wendy Mercedes, at the time of the facts.

- **Indigenous People of Muy Muy and its Uluse Community v. Nicaragua.**

583. The case refers to the international responsibility of the Nicaraguan State for the violation of rights enshrined in the American Convention on Human Rights, as a consequence of the failure to recognize, respect and protect the indigenous people of Muy Muy (hereinafter "Muy Muy people" or "PIMM") and their community of Uluse to live and develop under their own forms of political, administrative, social and cultural organization in accordance with their traditions; as well as for failing to prevent and investigate various acts of violence against them and due to the obstacles to access to justice.

584. The Muy Muy people are located in the municipality of Muy Muy, department of Matagalpa. Its total indigenous population is about 12 thousand people, most of them distributed in the communities of Muy Muy, Matiguas, San Ramon and Uluse located in the municipality of San Ramon. Its basic economic activity is livestock and agriculture, besides being a major producer of dairy products.

585. The central governing bodies of the indigenous people of Matagalpa consist of: i) the Board of Directors; ii) the Council of Elders; iii) the Cacique Mayor; and iv) Alcalde de Vara. The Board of Directors is the main legal-political institution, which deals with administrative matters and the execution of the activities agreed upon by the Council of Elders. The Council of Elders is the ancestral and traditional body made up of former community leaders, and its highest authority is the Cacique Mayor. The Alcalde de Vara is in charge of territorial management.

586. From 2003 to date, it has been denounced that municipal authorities have denied the indigenous people of Muy Muy their right to elect the configuration of their Boards of Directors made up of traditional authorities through the imposition of local authorities by the Municipality of Muy Muy. In particular, the petitioner has denounced that, in accordance with its values, uses and customs, at 2003 the indigenous people of Muy Muy held elections to elect a new Board of Directors, but that after said process, the municipal government denied recognition to the persons elected to form said body and illegally imposed other authorities, which has been repeated in the 2006 and 2010 elections.

587. The imposition of authorities has caused disorder in the use of lands, threats, as well as the granting of communal titles for the same territorial area to more than one person. In this context, among other events, in 2007 the municipal police of Muy Muy entered the home of Mr. V.E.G., Secretary General of PIMM and President of the Indigenous Electoral Board, without a warrant and proceeded to arrest him on charges of theft of public documents; on August 9, 2009, the authorities declared the Council of Elders of PIMM non grato and prohibited them from celebrating the International Day of Indigenous Peoples.

588. Furthermore, in 2010, Mr. V.E.G. received several bullet wounds in his home, as well as threats to burn down his house by the Government Delegate in Muy Muy and by the Political Secretary of the Frente Sandinista party in the municipality of Muy Muy. In addition, the petitioner stated that, as a result of the increase in tensions and conflicts within the community related to the imposition of authorities, Mr. Dionisio López and Mr. Adolfo Maradiaga Rodríguez, both members of the Uluse community, were seriously wounded with machetes by persons who invaded their land. Likewise, as a consequence of the advance in the occupation of the Uluse community, on March 28, 2013, Mr. Bayardo Alvarado Gómez was murdered when he tried to oppose the invasion by third parties.



589. On April 7, 2017, CENIDH issued a statement on the accompaniment it has provided to the indigenous community of Uluse in denouncing the actions of demobilizing groups of the Nicaraguan resistance and the Nicaraguan Army. This communication shows that such actions were aimed at dispossessing them of their lands, using intimidating acts and violent actions that have resulted in deaths and injuries; as well as affecting their form of self-determination, imposition of authorities, affecting their way of life, harassment and murders of indigenous people, as well as obstacles to access to justice and thus contexts of impunity.

590. With respect to the territorial conflict in this community, since 2006, the PIMM has denounced that the Nicaraguan resistance, by means of certificates of assignment granted by the delegation of the Matagalpa Property Office, has invaded their lands, has prohibited them from planting their plots, has built houses next to theirs, has cut down the small forests and has even prevented them from accessing the water sources they have always used, in addition to destroying their crops with the arrival of cattle. It also denounces the burning of 40 ranches belonging to indigenous families, and the desecration of their cemeteries by the planting of corn by third parties. On March 1, 2016 and April 7, 2017, these facts were reported to CENIDH, and have been publicly reported in various media.

591. On November 3, 2015, the representative of PIMM, filed a lawsuit before the First Civil District Court of Matagalpa North District with an accumulated action of absolute nullity of the judicial proceeding, nullity of the judgment of declaration of heirs and cancellation of the registry inscription against Mrs. Griselda del Carmen González González. As a result of the lawsuit, on March 4, 2019, the First Civil District Court of Matagalpa North District decided the lawsuit in favor of PIMM and reinstated its right over the property, since it was proved that the process of declaration of heirs was not notified to PIMM and, therefore, that it could not participate; and given that, according to articles 1557 and 1529 of the Civil Code, the usufruct is extinguished by death of the usufructuary, therefore, it cannot be transmitted to any person. The defendant appealed the decision before the Civil Chamber of the North District Court of Appeals, which, on October 12, 2020, declared it unjustified, and the first instance judgment in favor of PIMM became final.

592. In its Admissibility and Merits Report No. 89/24, the Commission noted that the indigenous people of Muy Muy have been prevented from freely determining their traditional authorities in accordance with their own law and traditions. The IACHR particularly noted that, repeatedly, the municipal government of Muy Muy has refused to recognize the persons elected by the PIMM to form its Board of Directors, during the election processes of 2003, 2006 and 2010. This has been denounced to the authorities according to several writings elaborated by the PIMM and is of public knowledge.

593. On the other hand, the authorities of the municipality of Muy Muy, in addition to not recognizing the persons selected by the PIMM in the formation of the Boards of Directors, from 2003 until the process carried out in 2019, have carried out parallel calls for the formation of said body. The Commission noted that, as a result: i) they have imposed people other than those selected by the PIMM, ii) they have integrated the Boards with people who do not belong to that community; iii) they have caused the duplication of governing bodies within the indigenous people of Muy Muy; and iv) they have generated various consequences in the peaceful use and enjoyment of their territory. The IACHR noted that even during the designation period that began in 2006, the Municipal Council of Muy Muy modified the composition of the Board of Directors on three occasions. Through letters addressed to the President of the Republic, as well as to the President of the Board of Directors of the National Assembly, the PIMM denounced that parallel Councils of Elders were formed in 2006 and 2009 to cover the election processes of the Boards of Directors with a veil of legality.

594. In this regard, the IACHR noted that the actions of the Municipal Council were contrary to the obligations contained in domestic law and considered that the internal dimension of political rights related to the right to autonomy or self-government had been violated, as the State did not recognize or allow the PIMM to freely elect its traditional authorities. Likewise, the IACHR considered that there is a breach of the obligation to adopt internal practices in accordance with human rights standards, derived from the inadequate implementation of the process of election, determination, recognition and certification of the PIMM's Boards of Directors carried out by the MC, by having subordinated the decision-making power of the indigenous



authorities to the decision-making bodies and processes of the Municipal Councils. This, in contravention of the State's obligation to guarantee the free exercise of the PIMM's right to elect their own authorities, based on traditional patterns that determine the ways in which the people organize themselves in different areas of their collective life.

595. In this same line, the Commission warned that, both for the disregard of the authorities elected by the people of MUY MUY, as well as for the realization of parallel processes and the imposition of authorities derived from these, as well as for the promotion of structures that disregard the right to self-determination of the indigenous peoples in relation to their right to determine their form of organization, the State is responsible for the violation of political rights.

596. Similarly, the IACHR considered that the lack of recognition and the State's failure to identify, delimit and ensure the ownership and peaceful possession by the PIMM through effective regulation did not allow for effective protection of the right to property and, therefore, constituted a violation of the right to property, as well as the State's failure to guarantee an adequate free, prior and informed consultation process on the titling and the entry of third parties to their territories, in the face of the issuance of property titles in favor of non-indigenous persons in the ancestral lands of the PIMM, which constituted a violation of the rights to private property, prior consultation and political rights.

597. In addition, the Commission considered that the lack of timely recognition and effective protection of the territory historically occupied by the indigenous people of MUY MUY has led to the generation of situations of insecurity and violence. In particular, the Commission observed that, as a consequence of these events, the PIMM have not been able to enjoy or live peacefully in their territory, not only because of the difficulties in enjoying the use of their natural resources, but also because they have not been able to peacefully carry out their subsistence activities. For these reasons, the Commission found that the State is responsible for the violation of the right to life with dignity and personal integrity, as well as to respect and protect the cultural values enshrined to the detriment of the indigenous people of MUY MUY, and that the State is responsible for the violation of the right to movement and residence to the detriment of the 15 families of the indigenous people of MUY MUY.

598. With respect to the right to judicial guarantees and judicial protection, the Commission concluded that the State did not guarantee an effective remedy to remedy the human rights violations analyzed, nor did it provide judicial protection of the rights of the PIMM as a result of the actions they undertook to gain access to effective protection. In particular, the IACHR found that the State failed to ensure an effective remedy, under an apparently neutral requirement to protect their form of organization, which had a disproportionate effect on the access and enjoyment of their lands and natural resources. Nor did it provide an effective remedy in favor of the protection of their ancestral territories and natural resources, nor in favor of the protection of their personal integrity. For these reasons, the IACHR concluded that the State is responsible for the violation of the rights to judicial guarantees, to equality before the law and to judicial protection.

599. Finally, the Commission found that the State is responsible for the lack of prevention of the murder of Mr. Alvarado Gómez that occurred on March 28, 2013, in violation of the right to life. On the other hand, with regard to the investigations and criminal proceedings concerning the aforementioned death, the Commission indicated that, despite the fact that the murder of Mr. Alvarado Gómez occurred on March 28, 2013, to date, no person has been determined to be responsible, nor is it clear from the information provided that a serious investigation or procedural momentum has been carried out to determine the truth of the facts and to punish the persons responsible. For these reasons, the Commission considered that the right to life, to judicial guarantees and to judicial protection were violated to the detriment of Mr. Bayardo Alvarado Gómez.

600. Based on the findings of fact and law in the report, the Inter-American Commission concluded that:

601. The State of Nicaragua violated the political rights enshrined in Article 23 of the American Convention, in relation to Articles 1(1) and 2 of the same instrument, by ignoring the authorities elected by the

PIMM, conducting parallel processes and imposing authorities derived from these; as well as by promoting structures that ignore the right to self-determination of the indigenous peoples in relation to their right to determine their form of organization, all to the detriment of the PIMM, in the terms of the merits report.

602. The State of Nicaragua violated the right to private property enshrined in Article 21 of the American Convention in relation to Article 1(1) of the same treaty, as a consequence of the State's failure to effectively identify, delimit and protect the territory of the PIMM through effective remediation, in the terms of the merits report.

603. The State of Nicaragua violated the rights to private property, freedom of thought and expression and political rights enshrined in Articles 21, 13 and 23 of the American Convention in relation to the obligations contained in Articles 1(1) and 2 of the same international instrument by failing to guarantee an adequate, prior, free and informed consultation process on the titling and entry of third parties into the territory of the PIMM, as well as by issuing property titles in favor of non-indigenous persons on that territory, in the terms of the merits report.

604. The State of Nicaragua violated the rights to life with dignity, to personal integrity and to progressive development contained in Articles 4, 5 and 26 of the American Convention, in relation to Article 1(1) of the same instrument, to the detriment of the indigenous people of Muy Muy; by not guaranteeing their physical and cultural survival as a people, in accordance with their ancestral ways of life. In particular, the IACHR determines that the State of Nicaragua is responsible for the violation of the right to freedom of movement and residence established in Article 22 of the American Convention, in relation to Article 1(1), for failing to prevent the displacement of 15 families of the PIMM, identified in the report, as a result of the acts of violence and intimidation exercised both by State agents and third parties to their detriment, in the terms of the merits report.

605. The State of Nicaragua violated the rights to judicial guarantees, to equality before the law and to judicial protection established in Articles 8(1), 24 and 25(1) of the American Convention, in relation to Articles 1(1) and 2 of the same treaty, due to the lack of an effective remedy that would allow the PIMM to protect the determination of its authorities, as well as the lack of an adequate and effective procedure to protect its right to property, and to live peacefully within the same, in the terms of the merits report.

606. The State of Nicaragua violated the rights to life, to judicial guarantees and to judicial protection enshrined in Articles 4, 8(1) and 25(1) of the American Convention, in relation to the obligations established in Article 1(1) of the same instrument, to the detriment of Mr. Bayardo Alvarado Gómez; by not preventing his murder and not carrying out a diligent investigation aimed at identifying and punishing the persons responsible, in the terms of the merits report.

- **Agustín Jarquín Anaya vs. Nicaragua.**

607. The case refers to the international responsibility of the Nicaraguan State for the dismissal of Mr. Agustín Armando Jarquín Anaya from his position as deputy, without respect for due process and without grounds on a cause previously established by law.

608. According to the information provided by the petitioner, the Christian Democratic Unity (UDC) signed agreements with the Sandinista National Liberation Front (FSLN), and both, in September 2000, formed the Municipal Electoral Convergence (Convergencia Electoral Municipal) together with other political parties. Likewise, he informed that this alliance was maintained during the 2006 presidential elections. Both parties agree that Mr. Agustín Armando Jarquín Anaya, as president of the political party UDC, held on February 12, 2011 the "Directory Congress" where it was resolved to ratify the political position of remaining in the referred alliance with the FSLN, called Alianza Unida Nicaragua Triunfa (United Alliance Nicaragua Triumphs).

609. According to the State, and not disputed by the petitioner, on November 6, 2011, 18 political organizations participated in the general elections. Among them was the Alianza Unida Nicaragua Triunfa,

headed by the FSLN party. Additionally, Mr. Jarquín Anaya was registered as a candidate for second deputy for the department of Managua, being elected and taking office on January 9, 2012. After one year of having started as deputy, Mr. Jarquín Anaya resigned from the Alliance with the FSLN and declared himself an independent deputy. In June of that same year, he joined the parliamentary bench called Bancada Democrática.

610. On April 9, 2013, the Supreme Electoral Council (CSE) notified Mr. Jarquín, in his capacity as president and legal representative of the UDC, the cancellation of the legal status of the political party, which they appealed to the Constitutional Chamber of the Supreme Court of Justice. On the following August 14, the Chamber decided that the appeal was dismissed.

611. On July 26, 2013, the CSE notified Mr. Jarquín of the cancellation of the certificate of inauguration and the credential with respect to the seat he occupied as a member of the United Alliance Nicaragua Triumphs bench and incorporated the alternate Aleris Beldramina Arias Siezar. The parties stated that on August 23, 2013, Mr. Jarquín filed an action for the protection of constitutional rights before the Court of Appeals of Managua Civil Chamber No. 2, against the resolution of the CSE. On September 12, 2013, Mr. Jarquín was notified of the decision in which the Court rejected the appeal as notoriously improper according to the Law on Actions for the Protection of Constitutional Rights. This resolution states the violation of articles 2, 4, 5, 7, 25.3, 27, 34.8, 46, 47, 48, 49, 50, 51, 50, 30, 183 and 188 of the National Constitution and article 55.5 of the Law on Actions for the Protection of Constitutional Rights.

612. In view of this decision, on September 13, 2013, Mr. Jarquín appeared before the Constitutional Chamber of the Supreme Court of Justice and filed an action for the protection of constitutional rights against the magistrates of the CSE and the Board of Directors of the National Assembly “for violating the procedures to remove the deputies”. The information provided highlights that, based on the referred Article 43 of the Law on Actions for the Protection of Constitutional Rights, the Chamber considered under the supplementary application of Articles 477 and 481 of the Code of Civil Procedure (CPC) that, in order to file the appeal, the appellant should have requested, at his own expense, within the third day of the denial of the appeal, a copy of the documents. Likewise, the Chamber considered that the appeal should not have been filed against the magistrates of the CSE and the members of the Board of Directors of the National Assembly, but against the magistrates of the Court of Appeals of Managua Civil Chamber No. 2. According to information provided by both parties, the referred judgment was issued on November 27, 2013 declaring the appeal to be dismissed and was notified to Mr. Jarquín on March 25, 2014.

613. On August 13, 2013, Mr. Jarquín went to the National Assembly; however, the security guards did not allow him to enter, as instructed by their superiors. Given these facts, the petitioner indicated that he filed an actions for the protection of constitutional rights before Civil Chamber No. 1 of the Court of Appeals of Managua against the president of the National Assembly and that, on October 18, 2013, the Court of Appeals notified him of the decision of October 9, 2013 by which it declared the appeal inadmissible.

614. In response to this decision, Mr. Jarquín informed that on October 22, 2013, he filed a direct action for the protection of constitutional rights before the Constitutional Chamber of the Supreme Court of Justice, which was decided by resolution of November 27, 2013, which declared the appeal inadmissible; decision notified on January 16, 2014.

615. In its Merits Report No. 146/24, the IACHR highlighted that the legal controversy in the present case consists of determining whether the CSE's decision to cancel Mr. Jarquín's deputy status following his change of political party was in accordance with the State's obligations under the American Convention and, in general, the Inter-American standards on the matter. The Commission noted that it was after a constitutional reform in 2014 that the change of political party was included as a cause for the loss of deputy status. In this regard, the Commission considered that the CSE's decision restricting the victim's political participation was not in accordance with the principle of legality, since the ground for losing the status of deputy was not previously established in the law, being therefore arbitrary. Likewise, the Commission observed that the decision adopted entailed the removal of Mr. Jarquín from his functions as a deputy of the National Assembly,

as well as from all his powers, attributions, duties and rights as a member of the Legislative Branch, and that he was prevented from exercising public functions in his country as an elected deputy.

616. The Commission also took note that it was as a consequence of his resignation from the Alianza and his joining the Bancada Democrática, that Mr. Jarquín was sanctioned with the loss of his status as a deputy by the resolution under analysis of the CSE. In this regard, the IACHR considered that the CSE's decision had the effect of preventing him from being able to freely decide whether or not to join the political association of his choice. For these reasons, the IACHR considered that the State of Nicaragua is responsible for the violation of the principle of legality and retroactivity, the right to freedom of association and political rights.

617. With respect to the duty to state reasons, the IACHR observed that the articles indicated by the State as the basis for the CSE's resolution do not include a legal precept that would make it possible to know the facts and the legal consequences of these actions. Therefore, the Commission considered that this decision did not have a sufficient legal basis in accordance with the facts. On the contrary, the Commission noted that the particular situation of Mr. Jarquín was not foreseen in any of the grounds of this law at the time of the occurrence of the facts; and, consequently, neither was a procedure for this purpose contemplated in Article 25 of Law No. 606.

618. In addition, the IACHR noted that Article 186 states that "[t]he Plenary of the National Assembly is empowered to fill any omission and resolve any issue not contemplated in this law," from which it can be understood that, since the cause for which Mr. Jarquín's credential was cancelled was not foreseen for the occurrence of the facts, the competence to hear said case would correspond to the Plenary of the Assembly under the terms of Article 186 of Law No. 606. However, the Commission did not observe information provided by the State on the reasons why this procedure was not followed, nor does it have information on whether it would have allowed compliance with the guarantees of due process required by the Inter-American system in cases such as the present one.

619. Linked to this, the petitioner stated that during the proceedings before the CSE he was prevented from exercising his right to a defense, without the State providing any information to indicate that the victim was actually allowed to exercise his right to a defense during the proceedings, or to take part in the proceedings in general.

620. Regarding the action for the protection of constitutional rights, filed against the decision of the Court of Appeals Civil Chamber No. 2, the IACHR identified that the decision of the Constitutional Chamber addresses two aspects as a basis for declaring the appeal inadmissible: (i) alleged defects of form in its presentation in supplementary application of the Code of Civil Procedure and (ii) the authority against which it was filed. On the first point, the Commission observed that the Chamber reasoned that Article 43 of the Law on the Actions for the Protection of Constitutional Rights indicates that the rules of the CPC shall be followed in all matters not established in the law. The IACHR considered that the manner in which the provisions of the CPC were applied to resolve the appeal filed by the victim did not allow the required clarity to be observed. Therefore, the IACHR understood that in the case under review, the supplementary application of this requirement and the legal consequence of its non-compliance were not duly justified.

621. With respect to the second point, the IACHR found that the Constitutional Chamber's decision, in general, indicates that the appeal should not have been filed against the magistrates of the CSE and the members of the Board of Directors of the National Assembly, but rather against the magistrates of the Managua Court of Appeals Civil Chamber No. 2. The Commission noted that the decision does not support why the appeal was incorrectly filed by the victim, considering that Article 26 allows the appeal to be filed either against the authority that orders the alleged unconstitutional act or against the executing agent. The IACHR did not notice from the information provided that the decision rejecting the action as a matter of fact allowed the victim to know at least the legal basis of the decision and its application in the specific case. Therefore, the IACHR concluded that this decision was contrary to the guarantee of due motivation.

622. In relation to judicial protection, the Commission noted that in the present case there was no judicial remedy against the decision adopted by the CSE. This decision could not be reviewed, nor was there a form of jurisdictional control that would make it possible to determine whether the acts of this body were adopted in accordance with the law. The Commission considered that the possibility of judicially questioning the decision of the CSE was of particular importance in the present case, taking into account, among other aspects, that the act of inauguration and the credential that Mr. Jarquín held in the National Assembly were cancelled.

623. For these reasons, the Commission concluded that the State of Nicaragua is responsible for the violation of the rights to judicial guarantees and judicial protection.

624. Based on the findings of fact and law in this report, the Inter-American Commission concluded that the State is responsible for the violation of the rights to judicial guarantees, the principle of legality and retroactivity, freedom of association, political rights and judicial protection, established in Articles 8, 9, 16, 23 and 25 of the American Convention, in relation to Article 1.1 and 2 of the same instrument, to the detriment of Agustín Jarquín Anaya.

## **2. Requests for advisory opinions**

625. During 2024, the Commission made no requests for advisory opinions to the Inter-American Court of Human Rights.

## **3. Submission of written observations in pending cases and in cases of supervision of compliance with the sentence**

626. During 2024, the IACHR submitted 192 written observations to the Inter-American Court related to active cases in process and in the stage of supervision of compliance with the judgment in accordance with Article 69 of the Rules of Procedure of the Inter-American Court.

## **4. Appearance and participation in public and private hearings**

627. In 2024, the Commission participated in a total of 30 hearings, of which 11 were related to ongoing contentious cases, 17 to supervision of compliance with a judgment, and two related to requests for advisory opinions. These hearings were:

### **a. Public hearings of contentious cases in process**

No.	Case	State	Date	Session Period
1	Ubaté and Bogotá	Colombia	January 30, 2009	164
2	Reyes Mantilla	Ecuador	February 5	164
3	Capriles	Venezuela	February 6	164
4	Aguirre Magaña	El Salvador	February 6	164
5	Galetovic Sapunar et al.	Chile	February 7th	164
6	Da Silva et al.	Brazil	February 8	164
7	Muniz da Silva	Brazil	February 9	164
8	Aguas Acosta and others	Ecuador	March 8	165
9	Adolescents in Temporary Detention Centers of SENAME	Chile	May 22	167
10	Carrión et al.	Nicaragua	July 3	168
11	Collen Leite and others	Brazil	July 5	168

**b. Private hearings of contentious cases under supervision**

No.	Case	State	Date	Session Period
1	El Mozote and surrounding areas	El Salvador	March 12	165
2	Gomes Lund et al.	Brazil	May 23rd	167
3	Barbosa de Souza et al.	Brazil	May 23rd	167
4	Xucuru Indigenous People and its members	Brazil	May 23rd	167
5	Petro Urrego	Colombia	June 20	168
6	Ramírez Escobar et al.	Guatemala	September 9	-
7	Xaman Massacre	Guatemala	September 9	-
8	Veliz Franco et al.	Guatemala	September 10	-
9	Velásquez Paiz et al.	Guatemala	September 10	-
10	Juvenile Reeducation Institute	Paraguay	September 20	-
11	Yakye Axa and Xákmok Kásek Indigenous Communities	Paraguay	September 20	-
12	Sawhoyamaxa Indigenous Community	Paraguay	September 20	-
13	Rodríguez Vera et al.	Colombia	September 23rd	-
14	Yarce et al.	Colombia	September 24	-
15	Villamizar Durán et al.	Colombia	September 24	-
16	Manuel Cepeda Vargas	Colombia	September 25	-
17	Pueblo Bello Massacre	Colombia	September 25	-

**c. Public hearing on request for advisory opinion**

No.	Subject	Applicant	Date	Session Period
1	On the content and scope of the right to care and its interrelation with other rights	Argentina	March 12-14	165
2	On climate emergency and human rights	Chile and Colombia	April 23-25, and May 24-29, 2010	166 y 167

**E. Status of compliance with IACHR recommendations issued in the merits reports published under Article 51 of the American Convention on Human Rights or Article 47 of the IACHR Rules of Procedure**
**1. The mandate to follow up on the recommendations of the Inter-American Commission**

628. Full compliance with the decisions of the Commission is essential to ensure the full enjoyment of human rights in the OAS member states and to strengthen the inter-American human rights system. For this reason, this section includes an analysis of the status of compliance with the decisions contained in the merits



reports published by the Commission since 2001, as well as an analysis of the recommendations whose follow-up was activated upon request by one of the parties in the case of reports published before 2001.<sup>162</sup>

629. On several occasions, the OAS General Assembly has encouraged member states to follow up on compliance with the Commission's recommendations. For example, resolution AG/RES. 1701 (XXX-O/2000) urged States to make their best efforts to implement the recommendations of the Inter-American Commission based on the principle of good faith (operative paragraph 5.d). The OAS General Assembly spoke similarly in resolution AG/RES. 2672 (XLI-O/11), which addresses observations and recommendations on the Annual Report of the Inter-American Commission on Human Rights (operative paragraph 3.b).

630. Likewise, the Commission considers that the effectiveness of the inter-American human rights system rests mainly on compliance with the decisions of its organs, which include orders, recommendations and agreements regarding comprehensive reparations for victims of human rights violations, both in the judgments of the Inter-American Court and in the merits reports issued by the Inter-American Commission. In this regard, the will of the States is fundamental to fulfill the objectives of the American Convention and the American Declaration of the Rights and Duties of Man in the application of the principle of *pacta sunt servanda*, which establishes that States must meet in good faith the obligations assumed in treaties.<sup>163</sup>

631. Both the American Convention on Human Rights (Article 41) and the Statute of the Commission (Article 18) explicitly grant the Commission the power to request information from the member states and to produce such reports and recommendations as it deems appropriate. Specifically, Article 48 of the Rules of Procedure of the IACHR provides as follows:

## **2. Follow-up**

632. Once the Commission has published a report on a friendly settlement or on the merits in which it has made recommendations, it may adopt follow-up measures as it deems appropriate, such as requesting information from the parties and holding hearings, to verify compliance with friendly settlement agreements and recommendations.

633. The Commission shall report as it deems appropriate on the progress made in complying with said agreements and recommendations.

## **3. Methodology for following up on recommendations: actions carried out in the year 2024**

634. In compliance with its conventional and statutory powers, and in accordance with the aforementioned resolutions and Article 48 of its Rules of Procedure, the Inter-American Commission requests information from the States regarding compliance with the recommendations included in the merits reports published under Article 51 of the American Convention on Human Rights and Article 47 of the Commission's Rules of Procedure. This practice began in 2001, and, since then, on an annual basis, the Commission requests information from the parties to the cases with published merits reports to follow up on its decisions and update the compliance status of each case. The Commission also receives information on compliance with recommendations in hearings or working meetings held during the year. Based on all the information collected, the Commission analyzes the status of compliance with the recommendations in each case.

635. The Commission has strengthened and consolidated its methodologies for collecting, systematizing and analyzing the information considered in the follow-up of its recommendations to optimize the development of this process and thus identify and draw attention to the individual and structural results of

<sup>162</sup> The Inter-American Commission *ex officio* follows up on the recommendations of the merits reports that have been published since 2001. With respect to the merits reports that were published prior to that year, the Commission follows up and prepares a file when one of the parties explicitly requests the activation of this mandate.

<sup>163</sup> United Nations, Vienna Convention on the Law of Treaties, 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.

compliance with its decisions. This progress was achieved within the framework of the Special Program to Monitor IACHR Recommendations (Program 21) of the Commission's 2017–2021 Strategic Plan and Programs 8 and 9 of the Commission's 2023–2027 Strategic Plan on strengthening the follow-up of recommendations and the inter-American recommendations monitoring system (SIMORE), and on multilevel dialogue and working agenda with States, respectively.

636. To update the information contained in this chapter, since August 2024 onwards, the Commission has requested the parties to cases with published merits reports subject to follow-up to submit, within one month, information relevant to the implementation of the recommendations. To this end, the Commission has sent requests for information with specific questions regarding the recommendations in each case that have not been declared fully compliant. These questions were prepared based on the latest level of compliance determined by the Commission to obtain relevant information on the progress achieved and the areas of opportunity identified, considering the special features of each case. In this regard, since 2021, the Commission has begun to develop these specific questions in each request for information to guide the States involved and to ask the representatives of the victims to provide relevant, updated and valuable information to analyze compliance with each recommendation.

637. When each request for information was sent, the Commission gave the parties one month to submit information on the progress made and the challenges faced in complying with the recommendations. Although, in principle, that one-month time frame was considered to be the deadline for receiving inputs for the preparation of this chapter, the Commission considered information received after that date in the following situations: in cases in which, after that date, working meetings were held that led to additional actions agreed upon by the parties; when the Commission granted extensions requested by any of the parties; when the petitioner or the State sent complementary information to that provided on time; or in cases in which internal administrative situations allowed for processing information received after the closing date, considering the time limits set for the approval of this chapter. The information not included in the preparation of this chapter will be analyzed in the 2025 Annual Report of the Commission.

638. Following the monitoring model and methodology proposed in 2018, the Commission includes in this chapter:

- i) A summary of the follow-up activities carried out in 2024 concerning the published reports on the merits, which have included enhanced follow-up of some cases.
- ii) A table of the cases in the follow-up stage of recommendations that includes information sheets for each case and that, since 2018, includes with more detail the progress and challenges identified in 2024 concerning each of the recommendations subject to follow-up. In this regard, since 2023, the Commission has simplified the design and structure of the monitoring sheets to present the information in a more accessible and practical manner.
- iii) A comprehensive presentation of the progress that, by 2024, the Commission identifies in terms of compliance with all the recommendations issued in the published merits reports, which include the compliance clauses of compliance agreements for those cases in which it is applicable. To present the results in terms of follow-up of and compliance with recommendations, the Commission highlights the relevant results concerning recommendations and cases based on the categories of full, substantial partial and partial compliance, which are described in the General Guidelines on the Follow-up of Recommendations and Decisions of the Inter-American Commission on Human Rights, which were published in 2019 (General Guidelines for Follow-up).<sup>164</sup>

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<sup>164</sup> IACHR, [General Guidelines on the Follow-up of Recommendations and Decisions of the Inter-American Commission on Human Rights](#) (second edition) (only available in Spanish), OEA/Ser.L/V/II. doc.385/23, November 20, 2023.

639. Likewise, since 2023, in the exercise of its mandate to follow up on recommendations, the Commission identified that, during the follow-up of published merits reports, the lack of response to requests for information from the victims or their representatives, especially for prolonged periods, constitutes a serious obstacle to the development of this stage. In particular, the Commission has identified that this lack of response prevents the Commission from knowing the current status of implementation of the recommendations and, therefore, of the reparation measures; it delays follow-up procedures of cases as a whole, considering that the number of published merits reports that enter the follow-up stage increases over time; it also interrupts the optimization of the follow-up of recommendations, which hinders the strengthening of the exercise of this mandate in cases where the victim or their representatives have a clear interest in the follow-up.

640. Archiving is a procedural option under Articles 41 and 42.1 of the Commission's Rules of Procedure that is applicable to petitions and cases with files in process when the petitioner withdraws in writing or when its unjustified procedural inactivity constitutes a serious indication of lack of interest in the processing of the petition.<sup>165</sup> In this regard, the Commission has begun to alert the parties of the possibility of archiving or deactivating follow-up on their cases to optimize the monitoring of recommendations contained in published merits reports and to strengthen follow-up methodologies. The purpose for this is focusing the IACHR's efforts and institutional capacity on the cases in active monitoring phase in which victims' representatives have responded to the Commission's requests and show interest in the follow-up by providing clear, comprehensive and updated information that allows for an adequate evaluation of the levels of compliance with the recommendations.

641. In this context, in 2023, the Commission identified 19 cases in which the victims' representatives had not submitted information in the two years before June 30, 2023, and 45 cases in which the victims' representatives had not submitted information for three years or more. Based on that, the Commission sent a written communication to the relevant parties to alert them of the possibility of archiving their cases and grant them one month to submit updated information on the status of compliance with the recommendations.

642. In 10 out of these cases, the petitioners contacted the follow-up team to request the reactivation of the monitoring. Thus, the following files are reincorporated into the 2024 Annual Report along with their relevant monitoring sheet:

- Case 11.654, Riofrío Massacre, concerning Colombia
- Case 11.710, Report No. 63/01, Carlos Manuel Prada González and Evelio Antonio Bolaño Castro, concerning Colombia
- Case 12.414, Report No. 101/17, Alcides Torres Arias, Ángel David Quintero *et al.*, concerning Colombia
- Case 12.780, Report No. 25/20, Carlos Arturo Betancourt Estrada and Family, concerning Colombia
- Case 12.477, Lorenzo Enrique Copello Castillo *et al.*, concerning Cuba
- Case 12.525, Nelson Iván Serrano Sáenz, concerning Ecuador
- Case 12.158, Benedict Jacob, concerning Grenada
- Case 11.765, Paul Lallion, concerning Grenada
- Case 12.028, Donnason Knights, concerning Grenada
- Case 11.381, Milton García Fajardo *et al.*, concerning Nicaragua

643. Finally, since its creation in 2018, the Commission's Follow-up of Recommendations and Impact Section (SSRI for its acronym in Spanish) has been tasked with analyzing the merits reports published under Article 51 of the American Convention on Human Rights or Article 47 of the Commission's Rules of Procedure. This has helped the Commission to conduct a more specialized follow-up on the matters under its responsibility. The following is a separate and detailed description of the progress made in complying with the recommendations issued in merits reports. This description helps users to identify more clearly and quickly

<sup>165</sup> IACHR, *IACHR Rules of Procedure*, 2009.

the status of each issue, the actions taken in each case, their individual and structural impacts, and the challenges and issues in which it is still necessary to continue taking steps to achieve their full implementation.

#### 4. Categories of analysis

644. To provide the parties with objective information on the type of review carried out in each case, the Commission published the General Guidelines for Follow-up on Recommendations and Decisions of the Inter-American Commission on Human Rights,<sup>166</sup> a technical follow-up instrument that contains categories of analysis of the information provided in the follow-up processes. This document was updated in November 2023 to strengthen the criteria for: i) assessing the information received from the States, the civil society, victims, representatives and other stakeholders as regards the follow-up of recommendations; and ii) analyzing and determining the level of implementation of these decisions.

645. These categories help the Commission to make a more detailed analysis of the information available and the parties to know whether the information submitted is relevant and timely for the Commission to assess compliance with the recommendations issued in published merits reports. In this regard, the following are the categories of information analysis that were defined in the General Guidelines for Follow-up and that were applied to the updating of this chapter:

- **Relevant information provided:** when the information was submitted to the Commission within the time frame specified in the request—in the cases in which information was previously requested—and also the information was pertinent, comprehensive, objective and updated.
- **Nonrelevant information provided:** when the information was provided within the time frame specified by the Commission but does not refer to the measures adopted aimed at complying with at least one of the recommendations pending compliance, was incomplete or was outdated.
- **Information not provided:** when information on the measures adopted to comply with the recommendations issued was not provided; the Commission was expressly informed that the information would not be submitted; or the parties requested an extension(s) to provide information and, in the end, the information was not provided.

646. In addition, by means of its General Guidelines for Follow-up,<sup>167</sup> the Commission decided to expand the categories of analysis of its recommendations to raise the visibility of the States' compliance efforts and to classify the status of compliance with each recommendation. In this regard, the Commission approved the following categories for the individual analysis of recommendations:

- **Full compliance:** a recommendation is fully complied with when the State has initiated and successfully concluded the measures for its observance. Full compliance is achieved when the following phases are completed: i) initial phase, ii) discussion phase, iii) approval phase and iv) compliance measure execution phase.
- **Substantial partial compliance:** a recommendation reaches the level of substantial partial compliance when the State has adopted relevant measures for its implementation and has provided evidence of said measures, but the Commission considers that they have not been completed. In this case, the State has successfully completed the following phases: i) initial

<sup>166</sup> IACHR, [General Guidelines on the Follow-up of Recommendations and Decisions of the Inter-American Commission on Human Rights](#) (second edition), OEA/Ser.L/V/II. doc.385/23, November 20, 2023.

<sup>167</sup> IACHR, [General Guidelines on the Follow-up of Recommendations and Decisions of the Inter-American Commission on Human Rights](#) (second edition) (only available in Spanish), OEA/Ser.L/V/II. doc.385/23, November 20, 2023.

phase, ii) discussion phase and iii) approval phase. The iv) compliance measure execution phase is still in progress and is beginning to produce significant effects.

- **Partial compliance:** a recommendation is partially complied with when the State has taken some steps towards compliance, but additional measures are still required. This means that the State has successfully completed the following phases: i) initial phase and ii) discussion phase. The iii) approval phase is in the process of implementation.
- **Pending compliance:** compliance with a recommendation is pending when the State has not yet adopted any measures to implement the recommendation or when the measures are at an early stage and their adoption is very recent and have not yet produced concrete results.
- **Noncompliance:** a recommendation whose compliance was impossible because of the conduct of the State or because the State has explicitly indicated that it would not comply with the measure.

## 5. Status of compliance with the merits reports published under Article 51 of the American Convention on Human Rights or Article 47 of the Rules of Procedure of the Inter-American Commission

647. On the basis of the goals established in Program 8 of the 2023–2027 Strategic Plan on strengthening the follow-up of recommendations, the Commission made efforts to disclose and provide more accessible information on the progress achieved in implementing the merits reports it has published under Article 51 of the American Convention on Human Rights or Article 47 of its Rules of Procedure. In this regard, the Committee updated individual follow-up factsheets with the information received in each case throughout the year, including its analysis of the status of compliance with the recommendations that have not yet been declared fully complied with. The Commission analyzed each recommendation issued in the published merits reports and identified the compliance measures that were undertaken, the individual and structural results that were achieved and the challenges that persist, according to the information submitted by the parties involved in each case.

648. In addition, during 2023, merits reports were released for the following cases, which entered the follow-up stage in 2024 (the first follow-up factsheets thereof are included in the instant Annual Report):

- Case 14.196, Oswaldo Payá Sardiña and others, concerning Cuba.
- Case 13.352, Jurijus Kadamovas *et al.*, concerning United States.
- Case 12.446, Tracy Lee Housel, concerning United States.

649. It should be noted that, although Report No. 298/23 (Case 11.464, Alberto Augusto Zalles Cueto, concerning Ecuador) was also published in 2023, it was not included in the follow-up portfolio, inasmuch as the Commission declared full compliance with the recommendations issued therein.

650. Finally, the Commission recalls that, when it comes to cases whose merits reports have been released prior to 2001, follow-up is only activated upon request of one of the parties concerned. Following a request from the victims' representatives in Case 11.010, Hildegard María Feldman *et al.*, concerning Colombia, and Case 11.101, Caloto Massacre, concerning Colombia, the first follow-up factsheets on the relevant recommendations were included in this chapter.

651. Below is a list of the merits reports published since 2001, including those that are no longer subject to active follow-up, in addition to reports prior to that year for which the activation of follow-up has been requested with 81 factsheets updated for this annual report. Out of the total 147 cases, 80 continue open (54.4 percent); 13 are closed, including one that was closed in this annual report<sup>168</sup> (8.9 percent) and 54 are

<sup>168</sup> Case No. 14.469 (Chile).

under study for archiving (36.7 percent).<sup>169</sup> This table provides direct links to the follow-up factsheet files prepared by the Commission for each case in 2024. Thus, the follow-up status of the merits reports published as of December 31, 2024, is as follows:

CASE	Link to file	In process of determining level of compliance	Full compliance	Partial compliance	Pending compliance	Follow-up status
Case 11.732, Report No. 83/09, Horacio Aníbal Schillizzi (Argentina) <sup>170</sup>				X		Closed
Case 12.324, Report No. 66/12, Rubén Luis Godoy (Argentina)	<a href="#">Link</a>			X		Open
Case 12.632, Report No. 43/15, Adriana Beatriz Gallo, Ana María Careaga and Silvia Maluf De Christin (Argentina)	<a href="#">Link</a>			X		Open
Case 12.721, Report No. 460/21, Ángel Pedro Falanga (Argentina)	<a href="#">Link</a>			X		Open
Case 12.681, Report No. 268/21, Marcos Alejandro Martín (Argentina)			X			Closed <sup>171</sup>
Cases 12.067, 12.068 and 12.086, Report No. 48/01, Michael Edwards, Omar Hall, Brian Schroeter and Jeronimo Bowleg (Bahamas)				X		Under study for archiving
Case 12.265, Report No. 78/07, Chad Roger Goodman (Bahamas)				X		Under study for archiving
Case 12.513, Report No. 79/07, Prince Pinder (Bahamas)				X		Under study for archiving
Case 12.231, Report No. 12/14, Peter Cash (Bahamas)				X		Under study for archiving
Case 12.071, Report No. 459/21, Cuban and Haitian Nationals Detained at and Deported from the Carmichael Road Detention Center (Bahamas)	<a href="#">Link</a>				X	Open
Case 12.053, Report No. 40/04, Maya Indigenous Communities of the Toledo District (Belize)	<a href="#">Link</a>			X		Open
Case 12.051, Report No. 54/01, Maria da Penha Maia Fernandes (Brazil)	<a href="#">Link</a>			X		Open
Cases 11.286, 11.406, 11.407, 11.412, 11.413, 11.415, 11.416 and 11.417, Report No. 55/01, Aluisio Cavalcante <i>et al.</i> (Brazil)				X		Under study for archiving
Case 11.517, Report No. 23/02, Diniz Bento da Silva (Brazil)	<a href="#">Link</a>			X		Open
Case 10.301, Report No. 40/03, Parque São Lucas (Brazil)	<a href="#">Link</a>			X		Open
Case 11.556, Report No. 32/04, Corumbiara (Brazil)	<a href="#">Link</a>			X		Open

<sup>169</sup> See the archiving process described in paragraphs 10–13.

<sup>170</sup> In its 2018 Annual Report, the Commission informed the OAS General Assembly that it had communicated to the parties its decision based on Article 48 of its Rules of Procedure to proceed with the cessation of follow-up on compliance with the merits report and, therefore, the closure of the case. IACHR, 2018 Annual Report, Chapter II, [Follow-up factsheet of Report No. 83/09, Case 11.732, Horacio Aníbal Schillizzi, Argentina](#), para. 7.

<sup>171</sup> This case entered the follow-up phase for the first time in 2022, when the Commission also determined that all recommendations had been fully complied with by the State of Argentina and declared the case closed.



CASE	Link to file	In process of determining level of compliance	Full compliance	Partial compliance	Pending compliance	Follow-up status
Case 11.634, Report No. 33/04, Jailton Neri da Fonseca (Brazil)	<a href="#">Link</a>			X		Open
Case 12.001, Report No. 66/06, Simone André Diniz (Brazil)	<a href="#">Link</a>			X		Open
Case 12.019, Report No. 35/08, Antonio Ferreira Braga (Brazil)	<a href="#">Link</a>			X		Open
Case 12.310, Report No. 25/09, Sebastião Camargo Filho (Brazil)	<a href="#">Link</a>			X		Open
Case 12.440, Report No. 26/09, Wallace de Almeida (Brazil)				X		Under study for archiving
Case 12.308, Report No. 37/10, Manoel Leal de Oliveira (Brazil)	<a href="#">Link</a>			X		Open
Case 12.213, Report No. 7/16, Aristeu Guida da Silva and Family (Brazil)	<a href="#">Link</a>			X		Open
Case 12.332, Report No. 31/20, Margarida Maria Alves and Family Members (Brazil)				X		Under study for archiving
Case 12.586, Report No. 78/11, John Doe (Canada)				X		Under study for archiving
Case 11.661, Report No. 8/16, Manickavasagam Suresh (Canada)				X		Under study for archiving
Case 11.771, Report No. 61/01, Samuel Alfonso Catalán Lincoleo (Chile)	<a href="#">Link</a>			X		Open
Case 11.725, Report No. 139/99, Carmelo Soria Espinoza (Chile)	<a href="#">Link</a>			X		Open
Case 12.142, Report No. 90/05, Alejandra Marcela Matus Acuña <i>et al.</i> (Chile) <sup>172</sup>			X			Closed
Case 12.469, Report No. 56/10, Margarita Barbería Miranda (Chile) <sup>173</sup>			X			Closed
Case 12.799, Report No. 48/16, Miguel Ángel Millar Silva <i>et al.</i> (Radio Estrella del Mar de Melinka) (Chile)	<a href="#">Link</a>			X		Open
Case 12.880, Report No. 458/21, Edmundo Alex Lemun Saavedra and Others (Chile)	<a href="#">Link</a>			X		Open
Case 11.010, Report No.15/95, Hildegard María Feldman <i>et al.</i> (Colombia)	<a href="#">Link</a>			X		Open
Case 11.101, Report No. 36/00, Caloto Massacre (Colombia)	<a href="#">Link</a>			X		Open
Case 11.654, Report No. 62/01, Riofrío Massacre (Colombia)	<a href="#">Link</a>			X		Open
Case 11.710, Report No. 63/01, Carlos Manuel Prada González and Evelio Antonio Bolaño Castro (Colombia)	<a href="#">Link</a>			X		Open
Case 11.712, Report No. 64/01, Leonel de Jesús Isaza Echeverry (Colombia)	<a href="#">Link</a>			X		Open

<sup>172</sup> IACHR, 2008 Annual Report, Chapter III, [Section D: Status of compliance with the recommendations of the IACHR](#), paras. 216–224.

<sup>173</sup> IACHR, 2024 Annual Report, Chapter III, Section E: Status of compliance with the recommendations of the IACHR.

CASE	Link to file	In process of determining level of compliance	Full compliance	Partial compliance	Pending compliance	Follow-up status
Case 12.009, Report No. 43/08, Leydi Dayan Sánchez (Colombia) <sup>174</sup>			X			Closed
Case 12.448, Report No. 44/08, Sergio Emilio Cadena Antolinez (Colombia) <sup>175</sup>			X			Closed
Case 10.916, Report No. 79/11, James Zapata Valencia and José Heriberto Ramírez (Colombia)	<a href="#">Link</a>			X		Open
Case 12.414, Report No. 101/17, Alcides Torres Arias, Ángel David Quintero <i>et al.</i> (Colombia)	<a href="#">Link</a>			X		Open
Case 10.455, Report No. 45/17, Valentín Basto Calderón and Others (Colombia)	<a href="#">Link</a>			X		Open
Case 12.713, Report No. 35/17, José Rusbel Lara <i>et al.</i> (Colombia)				X		Under study for archiving
Case 11.656, Report No. 122/18, Marta Lucía Álvarez Giraldo (Colombia)	<a href="#">Link</a>			X		Open
Case 11.726, Report No. 96/19, Norberto Javier Restrepo (Colombia)	<a href="#">Link</a>			X		Open
Case 12.780, Report No. 25/20, Carlos Arturo Betancourt Estrada and Family (Colombia)	<a href="#">Link</a>			X		Open
Case 12.476, Report No. 67/06, Oscar Elías Biscet <i>et al.</i> (Cuba)	<a href="#">Link</a>			X		Open
Case 12.477, Report No. 68/06, Lorenzo Enrique Copello Castillo <i>et al.</i> (Cuba)	<a href="#">Link</a>				X	Open
Case 12.127, Report No. 27/18, Vladimiro Roca Antunez and Others (Cuba)					X	Under study for archiving
Case 13.639, Report No. 297/21, Yoani María Sánchez Cordero (Cuba)	<a href="#">Link</a>				X	Open
Case 14.196, Report No. 83/23, Oswaldo Payá Sardiñas and Others (Cuba)	<a href="#">Link</a>				X	Open
Case 11.992, Report No. 66/01, Dayra María Levoyer Jiménez (Ecuador)				X		Under study for archiving
Case 12.487, Report No. 36/08, Rafael Ignacio Cuesta Caputi (Ecuador)	<a href="#">Link</a>			X		Open
Case 12.525, Report No. 84/09, Nelson Iván Serano Sáenz (Ecuador)	<a href="#">Link</a>			X		Open
Case 12.393, Report No. 44/17, James Judge (Ecuador) <sup>176</sup>			X			Closed
Case 11.624, Report No. 92/19, Jorge Darwin García and Family (Ecuador)				X		Under study for archiving

<sup>174</sup> IACHR, 2016 Annual Report, Chapter II, [Section D: Status of compliance with the recommendations and friendly settlements of the IACHR](#), paras. 602–614.

<sup>175</sup> IACHR, 2009 Annual Report, Chapter III, [Section D: Status of compliance with the recommendations of the IACHR](#), paras. 274–280.

<sup>176</sup> IACHR, [Case 12.393](#), Report No. 44/17, James Judge, Ecuador, paras. 115–116.

CASE	Link to file	In process of determining level of compliance	Full compliance	Partial compliance	Pending compliance	Follow-up status
Case 11.444, Report No. 457/21, Amparo Constante Merizalde (Ecuador)	<a href="#">Link</a>			X		Open
Case 12.931, Report No. 328/21, Daría Olinda Puertocarrero Hurtado (Ecuador)			X			Closed <sup>177</sup>
Case 12.249, Report No. 27/09, Jorge Odir Miranda Cortez <i>et al.</i> (El Salvador)				X		Under study for archiving
Case 11.481, Report No. 37/00, Monsignor Oscar Arnulfo Romero y Galdámez (El Salvador)	<a href="#">Link</a>			X		Open
Case 9.903, Report No. 51/01, Rafael Ferrer Mazorra <i>et al.</i> (United States)				X		Under study for archiving
Case 12.243, Report No. 52/01, Juan Raúl Garza (United States)					X	Under study for archiving
Case 11.753, Report No. 52/02, Ramón Martínez Villarreal (United States)	<a href="#">Link</a>			X		Open
Case 12.285, Report No. 62/02, Michael Domingues (United States) <sup>178</sup>			X			Closed
Case 11.140, Report No. 75/02, Mary and Carrie Dann (United States)	<a href="#">Link</a>				X	Open
Case 11.193, Report No. 97/03, Shaka Sankofa (United States)				X		Under study for archiving
Case 11.204, Report No. 98/03, Statehood Solidarity Committee (United States)	<a href="#">Link</a>				X	Open
Case 11.331, Report No. 99/03, César Fierro (United States)				X		Under study for archiving
Case 12.240, Report No. 100/03, Douglas Christopher Thomas (United States)				X		Under study for archiving
Case 12.412, Report No. 101/03, Napoleón Beazley (United States)				X		Under study for archiving
Case 12.430, Report No. 1/05, Roberto Moreno Ramos (United States)				X		Under study for archiving
Case 12.439, Report No. 25/05, Toronto Markkey Patterson (United States)				X		Under study for archiving
Case 12.421, Report No. 91/05, Javier Suárez Medina (United States)				X		Under study for archiving
Case 12.534, Report No. 63/08, Andrea Mortlock (United States)				X		Under study for archiving
Case 12.644, Report No. 90/09, Medellín, Ramírez Cárdenas and Leal García (United States)				X		Under study for archiving
Cases 12.561, 12.562, Report No. 81/10, Wayne Smith, Hugo Armendariz <i>et al.</i> (United States)	<a href="#">Link</a>				X	Open

<sup>177</sup> This case entered the follow-up phase for the first time in 2022, when the Commission also determined that all recommendations had been fully complied with by the State of Ecuador and declared the case closed.

<sup>178</sup> IACHR, 2005 Annual Report, Chapter III, [Section D: Status of compliance with the recommendations of the IACHR](#), paras. 185–186.

CASE	Link to file	In process of determining level of compliance	Full compliance	Partial compliance	Pending compliance	Follow-up status
Case 12.626, Report No. 80/11, Jessica Lenahan (Gonzales) (United States)				X		Under study for archiving
Case 12.776, Report No. 81/11, Jeffrey Timothy Landrigan (United States)					X	Under study for archiving
Cases 11.575, 12.333 and 12.341, Report No. 52/13, Clarence Allen Lackey <i>et al.</i> ; Miguel Ángel Flores; James Wilson Chambers (United States)					X	Under study for archiving
Case 12.864, Report No. 53/13, Iván Teleguz (United States)	<a href="#">Link</a>			X		Open
Case 12.422, Report No. 13/14, Abu-Ali Abdur' Rahman (United States)				X		Under study for archiving
Case 12.873, Report No. 44/14, Edgar Tamayo Arias (United States)				X		Under study for archiving
Case 12.833, Report No. 11/15, Félix Rocha Díaz (United States)	<a href="#">Link</a>				X	Open
Case 12.831, Report No. 78/15, Kevin Cooper (United States)	<a href="#">Link</a>			X		Open
Case 12.994, Report No. 79/15, Bernardo Aban Tercero (United States)				X		Under study for archiving
Case 12.834, Report No. 50/16, Undocumented Workers (United States)					X	Under study for archiving
Case 12.254, Report No. 24/17, Víctor Hugo Saldaño (United States)	<a href="#">Link</a>				X	Open
Case 10.573, Report No. 121/18, José Isabel Salas Galindo <i>et al.</i> (United States)	<a href="#">Link</a>				X	Open
Case 12.958, Report No. 71/18, Russell Bucklew (United States)					X	Under study for archiving
Case 13.570, Report No. 211/20, Lezmond C. Mitchell (United States)	<a href="#">Link</a>				X	Open
Case 13.361, Report No. 210/20, Julius Omar Robinson (United States)	<a href="#">Link</a>				X	Open
Case 13.356, Report No. 200/20, Nelson Iván Serrano Sáenz (United States)	<a href="#">Link</a>				X	Open
Case 12.865, Report No. 29/20, Djamel Ameziane (United States)	<a href="#">Link</a>				X	Open
Case 12.719, Report No. 28/20, Orlando Cordia Hall (United States)	<a href="#">Link</a>				X	Open
Case 12.754, Report No. 27/20, Nvwtohiyada Idehesdi Sequoyah (United States)					X	Under study for archiving
Case 12.545, Report No. 26/20, Isamu Carlos Shibayama, Kenichi Javier Shibayama, Takeshi Jorge Shibayama (United States)	<a href="#">Link</a>				X	Open
Case 12.505, Report No. 462/21, Marlin Gray (United States)	<a href="#">Link</a>				X	Open

CASE	Link to file	In process of determining level of compliance	Full compliance	Partial compliance	Pending compliance	Follow-up status
Case 13.394, Report No. 461/21, Pete Carl Rogovich (United States)	<a href="#">Link</a>				X	Open
Case 13.829, Report No. 456/21, Ramiro Ibarra Rubi (United States)	<a href="#">Link</a>				X	Open
Case 12.832, Report No. 455/21, Gregory Thompson (United States)	<a href="#">Link</a>				X	Open
Case 13.339, Report No. 453/21, Manuel Valle (United States)	<a href="#">Link</a>				X	Open
Case 13.478, Report No. 451/21, José Trinidad Loza Ventura (United States)	<a href="#">Link</a>				X	Open
Case 12.871, Report No. 333/21, Virgilio Maldonado Rodríguez (United States)	<a href="#">Link</a>				X	Open
Case 12.446, Report No. 264/23, Tracy Lee Housel (United States)	<a href="#">Link</a>				X	Open
Case 13.352, Report No. 263/23, Jurijus Kadamovas <i>et al.</i> (United States)	<a href="#">Link</a>				X	Open
Case 12.028, Report No. 47/01, Donnason Knights (Grenada)	<a href="#">Link</a>			X		Open
Case 11.765, Report No. 55/02, Paul Lallion (Grenada)	<a href="#">Link</a>			X		Open
Case 12.158, Report No. 56/02, Benedict Jacob (Grenada)	<a href="#">Link</a>			X		Open
Case 9.961, Report No. 62/90, José María García Portillo (Guatemala)	<a href="#">Link</a>				X	Open
Case 11.625, Report No. 4/01, María Eugenia Morales de Sierra (Guatemala)	<a href="#">Link</a>			X		Open
Case 9.207, Report No. 58/01, Oscar Manuel Gramajo López (Guatemala)				X		Under study for archiving
Case 10.626, Remigio Domingo Morales and Rafael Sánchez; Case 10.627, Pedro Tau Cac; Case 11.198(A), José María Ixcaya Pixtay <i>et al.</i> ; Case 10.799, Catalino Chochoy <i>et al.</i> ; Case 10.751, Juan Galicia Hernández <i>et al.</i> ; Case 10.901, Antulio Delgado, Report No. 59/01 (Guatemala)				X		Under study for archiving
Case 9.111, Report No. 60/01, Ileana del Rosario Solares Castillo <i>et al.</i> (Guatemala)	<a href="#">Link</a>			X		Open
Case 11.382, Report No. 57/02, Finca “La Exacta” (Guatemala)				X		Under study for archiving
Case 10.855, Report No. 100/05, Pedro García Chuc (Guatemala)				X		Under study for archiving
Case 11.171, Report No. 69/06, Tomás Lares Cipriano (Guatemala)				X		Under study for archiving
Case 11.658, Report No. 80/07, Martín Pelicó Coxic (Guatemala)				X		Under study for archiving
Case 12.264, Report No. 1/06, Franz Britton (Guyana)					X	Under study for archiving

CASE	Link to file	In process of determining level of compliance	Full compliance	Partial compliance	Pending compliance	Follow-up status
Case 12.504, Report No. 81/07, Daniel and Kornel Vaux (Guyana)				X		Under study for archiving
Case 11.335, Report No. 78/02, Guy Malary (Haiti)					X	Under study for archiving
Cases 11.826, 11.843, 11.846 and 11.847, Report No. 49/01, Leroy Lamey, Kevin Mykoo, Milton Montique and Dalton Daley (Jamaica)				X		Under study for archiving
Case 12.069, Report No. 50/01, Damion Thomas (Jamaica)				X		Under study for archiving
Case 12.183, Report No. 127/01, Joseph Thomas (Jamaica)				X		Under study for archiving
Case 12.275, Report No. 58/02, Denton Aitken (Jamaica)				X		Under study for archiving
Case 12.347, Report No. 76/02, Dave Sewell (Jamaica)				X		Under study for archiving
Case 12.417, Report No. 41/04, Whitley Myrie (Jamaica)				X		Under study for archiving
Case 12.418, Report No. 92/05, Michael Gayle (Jamaica)				X		Under study for archiving
Case 12.447, Report No. 61/06, Derrick Tracey (Jamaica)				X		Under study for archiving
Case 13.095, Report No. 401/20, T.B. and S.H. (Jamaica)	<a href="#">Link</a>				X	Open
Case 13.637, Report No. 400/20, Gareth Henry and Simone Carline Edwards (Jamaica)	<a href="#">Link</a>				X	Open
Case 11.565, Report No. 53/01, Ana, Beatriz and Celia González Pérez (Mexico)	<a href="#">Link</a>			X		Open
Case 12.130, Report No. 2/06, Miguel Orlando Muñoz Guzmán (Mexico)	<a href="#">Link</a>				X	Open
Case 12.228, Report No. 117/09, Alfonso Martín del Campo Dodd (Mexico)	<a href="#">Link</a>			X		Open
Case 12.551, Report No. 51/13, Paloma Angélica Escobar Ledezma <i>et al.</i> (Mexico)	<a href="#">Link</a>			X		Open
Case 12.689, Report No. 80/15, J.S.C.H. and M.G.S. (Mexico) <sup>179</sup>			X			Closed
Case 11.564, Report No. 51/16, Gilberto Jiménez Hernández “La Grandeza” (Mexico)	<a href="#">Link</a>			X		Open
Case 11.430, Report No. 43/96, José Francisco Gallardo Rodríguez (Mexico) <sup>180</sup>	<a href="#">Link</a>			X		Open
Case 11.740, Report No. 130/99, Víctor Manuel Oropeza (Mexico) <sup>181</sup>	<a href="#">Link</a>				X	Open

<sup>179</sup> IACHR, 2016 Annual Report, Chapter II, [Section D: Status of compliance with the recommendations and friendly settlements of the IACHR](#), paras. 1685–1708.

<sup>180</sup> The merits report of this case was published before 2001, which is why a factsheet was prepared to carry out the follow-up activated at the request of one of the parties.

<sup>181</sup> The merits report of this case was published before 2001, which is why a factsheet was prepared to carry out the follow-up activated at the request of one of the parties.



CASE	Link to file	In process of determining level of compliance	Full compliance	Partial compliance	Pending compliance	Follow-up status
Case 11.381, Report No. 100/01, Milton García Fajardo (Nicaragua)	<a href="#">Link</a>			X		Open
Case 11.506, Report No. 77/02, Waldemar Gerónimo Pinheiro and José Víctor Dos Santos (Paraguay)				X		Under study for archiving
Case 11.607, Report No. 85/09, Víctor Hugo Maciel (Paraguay)				X		Under study for archiving
Case 12.431, Report No. 121/10, Carlos Alberto Majoli (Paraguay) <sup>182</sup>			X			Closed
Case 11.800, Report No. 110/00, César Cabrejos Bernuy (Peru) <sup>183</sup>			X			Closed
Cases of Joint Press Release P-1193-CA of February 22, 2021 (Peru)	<a href="#">Link</a>	X <sup>184</sup>				Open
Case 12.269, Report No. 28/09, Dexter Lendore (Trinidad and Tobago)					X	Under study for archiving
Case 11.500, Report No. 124/06, Tomás Eduardo Cirio (Uruguay) <sup>185</sup>			X			Closed
Case 12.553, Report No. 86/09, Jorge, José and Dante Peirano Basso (Uruguay)	<a href="#">Link</a>			X		Open
<b>Total: 147</b>	<b>N/A</b>	<b>1</b>	<b>12</b>	<b>94</b>	<b>40</b>	Open cases: 80 <sup>186</sup> Closed: 13 Under study for archiving: 54

## 6. Activities carried out in the follow-up process in 2024

652. With regard to the follow-up of individual cases provided for in Article 48 of the Commission's Rules of Procedure, during 2024, the Commission focused on increasing the number of follow-up actions carried out throughout the year to build shared road maps for compliance with the recommendations and to re-establish or maintain contact with States, representatives of victims and victims of cases in relation to which it had not received information in recent years.

653. As part of the work to update the case factsheets to be included in the 2024 Annual Report, the Commission sent 162 letters to the States and petitioners (two for each of the 81 files under follow-up), requesting information on compliance with the recommendations this year. As a result, 92 response letters were received, which account for 56.7 percent of the total requests. Out of these responses, 42.39 percent were sent by States (39 letters) and 57.6 percent by petitioners (53 letters). In addition, 37 input documents were

<sup>182</sup> IACHR, 2012 Annual Report, Chapter III, [Section D: Status of compliance with the recommendations of the IACHR](#), paras. 904–908.

<sup>183</sup> IACHR, 2010 Annual Report, Chapter III, [Section D: Status of compliance with the recommendations of the IACHR](#), paras. 928–935.

<sup>184</sup> This is the only set of cases that, for methodological purposes, is classified as “in process of determining level of compliance,” inasmuch as the 2021 and 2022 follow-up factsheet prepared for the joint press release does not yet establish levels of compliance but aims to systematize the follow-up information as a step prior to determining levels of compliance.

<sup>185</sup> IACHR, 2010 Annual Report, Chapter III, [Section D: Status of compliance with the recommendations of the IACHR](#), paras. 1020–1027.

<sup>186</sup> This number includes the Joint Press Release No.1193 concerning Peru.

submitted by the parties prior to the formal requests sent by letter —22 were sent by petitioners (59.4 percent) and 15 by States (40.5 percent)—. Consequently, 63 cases of the portfolio (78.75 percent of the total) were updated with new information this year.

654. Furthermore, during 2024, the Commission continued to promote reinforced strategies for cases that have a structural impact by closely monitoring the process of implementation of recommendations. Said strategies include the following:

- **Joint Press Release No. 1193 concerning Peru.** This refers to the reinforced follow-up strategy that was devised for the 159 merits reports included in sections (c) and (d) of Joint Press Release P-1193-CA, which was signed in 2001 by the Commission and the State of Peru.<sup>187</sup> It should be noted that, prior to the preparation of the factsheet on the joint cases, this chapter included the follow-up of three cases involving the State of Peru whose reports had been released from 2001 onwards.<sup>188</sup> Taking into account that these three cases are included in sections (c) and (d) of the aforementioned press release, for methodological reasons, the follow-up thereof will be carried out together with that of the other cases mentioned in the press release, and the information on compliance will be incorporated into the relevant factsheet. Unlike the follow-up factsheets for the other cases included in this report, the factsheet for the cases in the above-mentioned file does not establish levels of compliance with the recommendations, although it is expected that the Commission and the parties will lay down specific commitments to be assessed annually to have a clear picture of the progress made. The purpose of this stage is to introduce a mechanism for systematizing information to show the State's efforts to comply with the recommendations and, in addition, to collect, centralize and unify all the information arising from the reports submitted by the parties, taking into consideration the large number of cases under follow-up.

This strategy entailed holding regular meetings (at first, bimonthly and now quarterly), each time addressing a different thematic area (investigation, search for missing persons, reparations, health and social redress and rehabilitation). During 2024, working and bilateral meetings were held on February 21, May 17, May 20 and June 15, as well as a portfolio meeting on September 18. Moreover, on November 15, 2024, within the framework of its 191<sup>st</sup> regular period of sessions, the Commission held a public hearing requested by the Asociación Pro Derechos Humanos (APRODEH) and the Center for Justice and International Law (CEJIL), aimed at addressing the impact of Law No. 32,107 —the Law Governing the Application and Scope of Crimes against Humanity and War Crimes in Peruvian Legislation— on the cases included in the joint press release.

- **Case No. 12.051, Maria da Penha, concerning Brazil.** Since 2022 and in close coordination with the Rapporteurship on the Rights of Women, bimonthly follow-up meetings have been held to promote a more dynamic oversight of the recommendations issued by the Commission. The purpose of the case is to enable the application of objective criteria and parameters to measure compliance with the recommendations that have a structural impact (aimed at prevention and nonrepetition). This strategy was proposed considering the effect that this case has had on the structural issue of domestic violence and violence against women both in Brazil and at the regional level. During the Commission's visit to the country in June 2024, President Roberta Clarke, Rapporteur for Brazil and for the rights of women, convened a working meeting to discuss a road map towards reaching agreements that will allow for full compliance with the recommendations. Additionally, a bilateral meeting was held with the State on May 17 and a portfolio meeting was held on September 26, 2024.

655. Furthermore, as part of the follow-up of Case 12.053, Maya Indigenous Communities of the Toledo District, concerning Belize, in 2023, it was agreed that a road map would be created to review the commitments made by both parties and coordinate their work, with quarterly meetings to evaluate the

<sup>187</sup> Joint Press Release P-1193-CA was issued on February 22, 2001, during the 110th regular period of sessions of the IACHR.

<sup>188</sup> Case 11.031, Report No. 111/00, Pedro Pablo López González et al., Peru; Case 10.247 and others, Report No. 101/01, Luis Miguel Pasache Vidal et al., Peru; Case 11.099, Report No. 112/00, Yone Cruz Ocalio, Peru.

progress achieved and the challenges faced in implementing the recommendations. In this regard, between October 15 and 18, 2024, the Commission conducted a follow-up visit to verify compliance with the recommendations of the case by means of a working meeting. This stage of the process is part of the priorities set forth in the Commission's Five-Year Strategy for the Caribbean (2023–2027), a plan focused on the region.

656. Moreover, meetings were held with the State of Argentina in its capacity as amicus curiae in Case 12.254, Víctor Saldaño, concerning the United States. These actions were carried out as part of the portfolio meeting with the State of Argentina on August 3, 2024.

657. In addition, as part of its follow-up activities, the Commission held a significant number of bilateral online meetings with petitioners, victims and State representatives regarding the following cases: Case 11.010, Hildegard María Feldman, concerning Colombia (on January 5, 2024); Case 12.525, Nelson Iván Serrano Sáenz, concerning Ecuador (on January 29, 2024); Case 12.414, Alcides Torres Arias, Ángel David Quintero et al., concerning Colombia (on May 23, 2024); Case 12.487, Rafael Ignacio Cuesta Caputi, concerning Ecuador (on May 29, 2024); Case 12.553, Jorge, José and Dante Peirano Basso, concerning Uruguay (on June 6, 2024); and Case 11.625, María Eugenia Morales de Sierra, concerning Guatemala (on November 22, 2024). Furthermore, bilateral meetings were held in person to discuss cases involving Guatemala: Case 9.111, Ileana del Rosario Solares Castillo et al., and Case 9.961, José María García Portillo and Family (both on November 29, 2024). A working meeting was also held to address Case 12.469, Margarita Barbería Miranda, concerning Chile (on March 19, 2024), which was attended by both State and the petitioner representatives.

658. Throughout 2024, the Commission continued to promote portfolio review meetings, that is, coordination meetings with the States to discuss the progress achieved and the challenges faced in complying with the recommendations in the cases under follow-up. These meetings were held with the following States: Ecuador (March 26), Mexico (May 14), Guatemala (June 27), Brazil (September 26), Peru (September 18), Argentina (October 3) and Colombia (October 7).

659. By way of requests for information to the parties to each case, working meetings, bilateral and portfolio meetings, and the relay of information between the parties, in 2024, the Commission monitored compliance in 100 percent of the open cases whose merits reports were published after 2001 pursuant to Article 51 of the American Convention on Human Rights or Article 47 of its Rules of Procedure.

## 7. Relevant results

### a. Progress achieved in 2024 in the implementation of recommendations issued in published merits reports

660. Progress in complying with the recommendations issued by the Commission has been significant thanks to the promotion of this mandate in the Commission's work agenda, particularly within the framework of Program 8 of the 2023–2027 Strategic Plan. The Commission also acknowledges the valuable support and commitment that the States, the victims and their representatives have shown in the development of the follow-up process, which has led to favorable results in terms of levels of compliance. The following table shows the progress made each year in the implementation of the recommendations issued in all published merits reports that have been subject to follow-up.<sup>189</sup>

Categories	Number of cases <sup>190</sup>						Compliance percentage					
	2019	2020	2021	2022	2023	2024	2019	2020	2021	2022	2023	2024
Full compliance	9	9	9	11	11	12	8%	7.8%	7.3%	7.9%	7.8%	8.2%

<sup>189</sup> It should be noted that, during 2023, no compliance analysis was performed with respect to the cases whose deactivation and archiving was appropriate; therefore, the number of cases under follow-up dropped from 139 in 2022 to 66 in 2023.

<sup>190</sup> The table shows the progress achieved since 2019. To learn about the 2018 compliance percentages, see the 2023 Annual Report or earlier reports.

<b>Partial compliance</b>	85	88	91	95	95	94	75.2%	76.6%	74%	68.3%	67.8%	64.3%
<b>Pending compliance</b>	19	18	23	33	34	40	16.8%	15.6%	18.7%	23.7%	24.2%	27.3%
<b>Total</b>	<b>113</b>	<b>115</b>	<b>123</b>	<b>139</b> <sup>191</sup>	<b>140</b> <sup>192</sup>	<b>146</b> <sup>193</sup>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

661. The Commission notes that compliance with the recommendations and compliance agreements clauses is the result of a complex process that involves a sound and continuous interaction among the users of the inter-American human rights system. For this reason, the Commission reaffirms its commitment to implementing all measures within its reach to promote continuous and effective compliance with the recommendations issued to ensure greater enjoyment and safeguarding of human rights in the region. The progress made in the levels of compliance with the recommendations and the clauses of the compliance agreements signed by the parties is described below.

662. In 2024, the 80<sup>194</sup> cases whose merits reports were published under Article 51 of the American Convention on Human Rights or Article 47 of the Commission's Rules of Procedure and whose follow-up status was active comprised a total of 472 decisions under follow-up, which included 339 recommendations issued by the Commission and 133 clauses of compliance agreements signed by the parties. Moreover, out of the total 472 decisions, 241 (51 percent) have shown progress in their implementation (109 have reached full compliance, 33 have reached substantial partial compliance, 99 have reached partial compliance), 212 are pending compliance (44.9 percent) and 14 continue to be noncompliant (2.9 percent). In addition, five recommendations are classified as "under follow-up" (1 percent) because additional information is required to determine their status of compliance.

663. According to the information that the Commission received and analyzed in 2024, it was possible to determine that some progress had been made in the implementation of 22 recommendations included in published merits reports as well as of seven clauses of compliance agreements. To contribute to these results, the Commission reinforced the methodology applied to the analysis of compliance. Out of the 29 decisions—including recommendations and clauses—that experienced progress, as recorded in the follow-up analysis carried out in 2024, 17 are of individual impact and 12 are of structural impact. The Commission welcomes the progress achieved in complying with these measures during 2024.

664. Based on the follow-up carried out in 2024, the Commission determined that 13 reparation measures have reached full compliance, seven reparation measures have reached substantial partial compliance and nine reparation measures have reached partial compliance.

665. The following is a breakdown of the progress that the Commission observed in 2024 to determine full compliance with 13 reparation measures (including both recommendations and compliance agreement clauses).

<sup>191</sup> The table included in the 2022 Annual Report on the follow-up factsheets of the published merits reports comprised a total of 140 cases. It indicated that there was a total of 139 cases instead of 140 because the cases included in Joint Press Release P-1193-CA (Peru) were excluded. As explained above, this press release was not included in this table since the Commission has not yet determined levels of compliance with the recommendations issued in the reports contained therein.

<sup>192</sup> This figure showed the total number of cases whose merits reports were published after 2001, including those that are no longer subject to active follow-up plus cases whose reports are prior to 2001 and for which the activation of follow-up has been requested. However, in 2023, only 65 follow-up factsheets were updated, given that the other cases were closed or under analysis for archiving. Out of these, 64 files were taken into consideration to calculate the percentages of compliance with recommendations, since no levels of compliance have been determined for Joint Press Release P-1193-CA (Peru).

<sup>193</sup> Joint Press Release P-1193-CA (Peru) is excluded from the total of 147 files under follow-up, since levels of compliance have not been determined in this case.

<sup>194</sup> Out of the total of 81 cases that remained open during the preparation of the instant Annual Report, the Joint Press Release concerning Peru is excluded, since grouping together several cases does not allow for determining levels of compliance.

Case	Scope of the compliance measure	Recommendation or clause of the compliance agreement	Results reported	Level of compliance in 2024
<b>Brazil</b>				
Case 12.001, Simone André Diniz (Brazil)	Structural	Recommendation No. 10	The State has requested local governments to create police stations that specialize in crimes of racism and racial discrimination, which have already been set up in Alagoas, the Federal District, Maranhão, Minas Gerais, Pará, Paraíba, Paraná, Piauí, Rio de Janeiro, Rio Grande do Sul, Sergipe, São Paulo and Rondônia. The Commission considers that the State complied with the recommendation by undertaking this measure. However, it stresses that the number of specialized police stations is still insufficient and urges the State to create additional ones to guarantee widespread action.	Full
Case 12.001, Simone André Diniz (Brazil)	Structural	Recommendation No. 11	The State issued official letters to the Attorneys General to verify the existence of specialized institutional bodies to combat racism and indicated that these are in place in 24 of the 30 federal districts. The Commission concludes that the State complied with the recommendation to request the Offices of the Public Prosecutors to create specialized units to tackle racism and racial discrimination. However, it urges the State to continue promoting the creation of such bodies in all states of the country.	Full
Case 10.301, Parque São Lucas (Brazil)	Individual	Recommendation No. 4	The State reported that compensation payments in court cases was terminated.	Full
Case 11.634, Jailton Neri da Fonseca (Brazil)	Structural	Recommendation No. 5	In 2024, the State reported that it has offered three free courses for agents of the Unified Public Security System (SUSP), thus reaching almost 26,000 police officers. In addition, in 2023, the Directorate of Education and Research (DEP) was created to upskill agents by offering continuing training programs in line with the National Public Security Plan. In 2023 and 2024, three new courses were launched under the PRONASCI 2 program —focused on racial inequality—, which were attended by nearly 18,500 persons. The Commission thus concludes that the State has implemented educational measures to prevent racial discrimination in the field of public security and considers that the recommendation has been fully complied with. However, it stresses that police violence continues to be alarming and should be addressed as a priority within the framework of the country's public security policy, reinforcing human rights training to promote structural change and prevent institutional	Full

			violence, especially that exerted on youth of African descent.	
<b>Chile</b>				
Case 12.880, Edmundo Alex Lemun Saavedra and Others (Chile)	Individual	Recommendation No. 3	The State reported that the person responsible for the victim's death was subjected to disciplinary and criminal law measures; also, after being convicted by the ordinary courts, he was discharged from the Carabineros, which impeded further disciplinary proceedings against him. In relation to the Nafin Retamal Law, the request to reduce the perpetrator's sentence was overruled by the Oral Trial Court of Angol; this ruling was confirmed by the Court of Appeals of Temuco on January 3, 2024, and upheld by the Supreme Court on January 18, 2024. The Commission welcomes the information submitted on the final judgments and sanctions issued in this case, noting that disciplinary and criminal law measures against the official responsible for obstructing access to justice have been exhausted.	Full
Case 12.880, Edmundo Alex Lemun Saavedra and Others (Chile)	Structural	Clause A of the compliance agreement	Supreme Decree No. 1,364 was issued, which sets forth clear guidelines on the use of police force, including the periodic review and updating of Carabineros' operation protocols. The Commission notes that this regulatory framework constitutes significant progress in the implementation of the clause, thus guaranteeing adequate standards to maintain law and order.	Full
Case 12.880, Edmundo Alex Lemun Saavedra and Others (Chile)	Structural	Clause D of the compliance agreement	The State reported on the online course Use of Force in Judicial Proceedings, targeted at high-ranking judiciary staff, and on two mandatory in-person seminars on international obligations held in January and July 2024 as part of the Judicial Academy Training Program. The Commission notes that the State has implemented a series of training programs for Carabineros officers in the Araucanía region, which address international standards on the use of force. Consequently, the clause has been complied with.	Full
Case 12.469, Margarita Barbería Miranda (Chile)	Individual	Recommendation No. 3	A discretionary pension ( <i>Pensión de Gracia</i> ) for Mrs. Barbería was approved and processed on March 27, 2023, and payments began to be made on a monthly basis. In addition, on August 23, 2024, a resolution was issued providing for an additional economic compensation, which was arranged by the General Treasury and ready to be collected. The Commission notes that the State has complied with the agreed pecuniary reparations.	Full
Case 11.725, Carmelo Soria Espinoza (Chile)	Structural	Recommendation No. 2	The State reported that, in its judgment of conviction, the Supreme Court considered the Convention on the Prevention and Punishment of Crimes against Internationally Protected	Full



			Persons. In addition, it pointed to two rulings in which the Supreme Court had made reference to said Convention to support its decision. The Commission notes that the State provided information that evidences the application of the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons in judicial rulings, which constitutes compliance with Recommendation No. 2.	
Grenada				
Case 11.765, Paul Lallion (Grenada)	Individual	Recommendation No. 5	The Commission considers that the recommendation is not applicable to the case because the victim was released in 2009. Therefore, this recommendation has been fully complied with.	Full
Case 11.765, Paul Lallion (Grenada)	Individual	Recommendation No. 6	The Commission considers that the recommendation is not applicable to the case because the victim was released in 2009. Therefore, this recommendation has been fully complied with.	Full
Case 12.028, Donnason Knights (Grenada)	Individual	Recommendation No. 5	The Commission considers that the recommendation is not applicable to the case because the victim was released. Therefore, this recommendation has been fully complied with.	Full
Case 12.158, Benedict Jacob (Grenada)	Individual	Recommendation No. 5	The Commission considers that the recommendation is not applicable to the case because the victim was released. Therefore, this recommendation has been fully complied with.	Full

666. The Commission applauds the steps taken by the States of Brazil and Chile in 2024 to achieve full compliance with some measures of reparation, including recommendations issued in published merits reports and clauses of compliance agreements, and welcomes the progress made in the implementation of these decisions. Furthermore, the Commission acknowledges the level of compliance reached in the cases concerning Grenada, but calls on the State to submit relevant information for the follow-up of the open files and pending recommendations in its portfolio. The Commission reiterates that such compliance is crucial to legitimize the inter-American system of human rights and to build trust and promote the principle of good faith as the foundations for the fulfillment of international obligations by the States. Moreover, the Commission takes this opportunity to urge all OAS member states to comply with the recommendations issued in its merits reports published in light of Article 51 of the American Convention on Human Rights, so that full compliance can be attained and progress can be made towards ceasing the monitoring of such matters.

667. Conversely, seven cases included one recommendation that changed its status to noncompliant:

- Case 11.634, Jailton Neri da Fonseca (Brazil): Regarding Recommendation No. 2 on the duty to investigate the facts, the State reiterates that the investigation and criminal proceedings cannot be reopened. In this regard, the Commission recalls that the *non bis in idem* principle is not applicable when the proceedings were not carried out independently or impartially and reiterates what was stated by the Inter-American Court of Human Rights in *Almonacid Arrellano et al. v. Chile*. The Commission emphasizes that, in cases of serious human rights violations, such as the present case, even if the State argues that punishing those responsible

is no longer possible due to its inability to reopen the investigation, international obligations on the matter prevail and remain in force. Thus, based on the reiterated argument that it is impossible to punish all persons who are responsible for the victim's death, the Commission determines that the State has failed to comply with the recommendation.

- Case 11.556, Corumbiara (Brazil): The State has failed to comply with Recommendation No. 1 for the same reasons as in Case 11.634.
- Case 12.019, Antonio Ferreira Braga (Brazil): The State has failed to comply with Recommendation No. 1 for the same reasons as in Case 11.634.
- Case 12.310, Sebastião Camargo Filho (Brazil): The State has failed to comply with Recommendation No. 1 for the same reasons as in Case 11.634.
- Case 11.517, Diniz Bento da Silva (Brazil): The State has failed to comply with Recommendation No. 1 for the same reasons as in Case 11.634.
- Case 12.213, Aristeu Guida da Silva and Family (Brazil): The State has failed to comply with Recommendation No. 1 for the same reasons as in Case 11.634.
- Case 11.740, Víctor Manuel Oropeza (Mexico): Regarding Recommendation No. 1, it is noted that the dismissal of the case is final, making it materially impossible to move forward with an investigation under the terms of the recommendation.

#### **b. Cases with no information submitted in 2024**

668. The Commission indicates that it did not receive information from any of the parties to the 17 cases below as of the closing date of the present report, neither in response to the Commission's requests for information to be used as input for the Annual Report nor prior to that request:

- Case 12.324, Rubén Luis Godoy (Argentina)
- Case 13.639, Yoani María Sánchez Cordero (Cuba)
- Case 13.361, Julius Omar Robinson (United States)
- Case 12.832, Gregory Thompson (United States)
- Case 12.505, Marlin Gray (United States)
- Case 10.573, José Isabel Salas Galindo and Others (United States)
- Case 11.140, Mary and Carrie Dann (United States)
- Case 12.833, Félix Rocha Díaz (United States)
- Case 12.864, Ivan Teleguz (United States)
- Case 12.831, Kevin Cooper (United States)
- Case 12.871, Virgilio Maldonado Rodríguez (United States)
- Case 12.865, Djamel Ameziane (United States)
- Case 12.719, Orlando Cordia Hall (United States)
- Case 13.478, José Trinidad Loza Ventura (United States)
- Case 13.339, Manuel Valle (United States)
- Case 13.352, Jurijus Kadamovas *et al.* (United States)
- Case 11.430, José Francisco Gallardo Rodríguez (Mexico)

669. The Commission urges the parties to submit updated information on the actions undertaken by the States to comply with the recommendations issued by the Commission in these cases.

#### **c. New processes for follow-up of published merits reports**

670. The Commission announces that the case below has entered the follow-up stage for the first time and is included in the *2024 Annual Report* (Article 48 of the Commission's Rules of Procedure):

- Case 13.083, [Report No. 8/24](#), Akawaio Indigenous Community of Isseneru and its Members (Guyana)

671. Although Report No. 1/24 (Case 12.549, Nasry Javier Ictech Guifarro, concerning Honduras) was released in 2024, it is not included in the follow-up portfolio, inasmuch as the report declared full compliance with the relevant recommendations.

672. The Commission thanks the parties for the information provided within the framework of the follow-up of recommendations up to the release of the instant report in 2024 and points out that it will continue to improve its follow-up processes to strengthen compliance with the recommendations issued in its published merits reports.

## **F. Precautionary Measures**

### **1. Introduction**

673. Precautionary measures in the Inter-American System of Human Rights are a protection mechanism of the Inter-American Commission on Human Rights (IACHR), through which it requests a State to protect one or more persons who are in a serious and urgent situation of suffering irreparable harm. Any person or organization may file a request for precautionary measures on behalf of a person or group of persons, identified or identifiable, who are at risk.

674. The precautionary measures mechanism has more than four decades of history in the inter-American system and has served as an effective tool to protect the fundamental rights of the inhabitants of the States under the jurisdiction of the Inter-American Commission. The power of the IACHR to request the adoption of precautionary measures shows a common practice in international human rights law. In the context of the region, it has operated as an effective instrument of protection and prevention in the face of possible serious and irreparable harm to persons or groups of persons facing situations that present an imminent risk.

675. The precautionary measures mechanism is part of the Commission's function of overseeing compliance with the human rights obligations set forth in Article 106 of the Charter of the Organization of American States. These general oversight functions are provided for in Article 41(b) of the American Convention on Human Rights, as well as in Article 18(b) of the Statute of the IACHR. The mechanism of precautionary measures is set forth in Article 25 of the Commission's Rules of Procedure. In accordance with that Article, the Commission grants precautionary measures in serious and urgent situations in which these measures are necessary to avoid irreparable harm to persons. In the process of reaching a decision, and in accordance with Article 25(2) of its Rules of Procedure, the Commission considers that:

- a. "serious situation" refers to a grave impact that an action or omission can have on a protected right or on the eventual effect of a pending decision in a case or petition before the organs of the inter-American system;
- b. "urgent situation" refers to risk or threat that is imminent and can materialize, thus requiring immediate preventive or protective action; and
- c. "irreparable harm" refers to injury to rights which, due to their nature, would not be susceptible to reparation, restoration or adequate compensation.

676. The nature and purpose of the precautionary measures granted by the Inter-American Commission are different from those available in domestic jurisdictions. Precautionary measures fulfill two functions related to the protection of fundamental rights enshrined in the norms of the inter-American system. The Inter-American Commission and the Inter-American Court of Human Rights ("the Inter-American Court" or "I/A Court H.R.") have established repeatedly that precautionary and provisional measures have a dual

nature, both protective and precautionary.<sup>195</sup> Regarding the precautionary character, the measures may be intended to prevent the execution of judicial, administrative or other measures, when it is alleged that their execution could render ineffective an eventual decision of the IACHR on an individual petition. The purpose of these measures is to preserve the rights potentially at risk until the petition before the inter-American system is resolved. In this way, they seek to ensure the integrity and effectiveness of the decision on the merits and, in this way, avoid harming the alleged rights, a situation that could render the final decision innocuous or detract from its useful effect (*effet utile*). An example of this can be seen in those situations in which the IACHR has urged the State to suspend the application of the death penalty, in order to allow the Commission to analyze later in the petition or case the alleged violations alleged by the petitioners in relation to the applicable instruments.

677. With regard to the protective nature, the measures seek to avoid irreparable harm and thus preserve the exercise of human rights. These considerations have led to the issuance of precautionary measures in a wide range of situations, particularly in order to avoid irreparable harm to the life and personal integrity of the beneficiary(ies). To this end, the IACHR must assess the problem posed, the effectiveness of the State's actions in the situation described, and the degree of vulnerability of the persons for whom the measures are requested if they are not adopted.<sup>196</sup> For example, issues related to disappearances, access to medical treatment, situations of threats, harassment, and persecution, including in connection with the work or affiliation of the beneficiary, among numerous other cases.

678. The Rules of Procedure of the IACHR indicate that the granting of such measures and their adoption by the State shall not constitute a prejudgment on the violation of the rights protected in the American Convention on Human Rights and/or other applicable instruments. Likewise, the IACHR emphasizes that, in accordance with Article 25(6) of its Rules of Procedure, the analysis of a request for precautionary measures is carried out taking into account the context, the particularities of each specific situation, and the nature of the risk and the harm sought to be avoided.

679. Precautionary measures have been invoked to protect thousands of persons or groups of persons at risk. In 2024 these groups included indigenous peoples, journalists, justice operators, persons deprived of their liberty, missing persons, human rights and environmental defenders, Afro-descendants, political opponents, persons deprived of their liberty, persons sentenced to death, as well as children and adolescents and women at particular risk.

## 2. Requests for precautionary measures

680. In 2024, the IACHR continued implementing [Resolution 3/2018 "Strengthening of the processing of requests for precautionary measures"](#), which allowed strengthening the methodology for the initial study of the requests received. Thus, requests for precautionary measures continue to be diagnosed<sup>197</sup> up to date and classified according to the information available on their respective urgency. This allows the IACHR to prioritize the requests in which greater elements of urgency are identified, in accordance with Article 25 of the Rules of Procedure, favoring more expeditious decision-making with respect to matters that present indications of imminent risk.

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<sup>195</sup> I/A Court H.R., [Matter of the Yare I and Yare II Capital Region Penitentiary Center](#), Provisional Measures regarding the Bolivarian Republic of Venezuela, Order of March 30, 2006, considerandum 5; [Case of Carpio Nicolle et al. v. Guatemala](#), Provisional Measures, Order of July 6, 2009, considerandum 16.

<sup>196</sup> See in this regard: I/A Court H.R., [Matter of Milagro Sala](#), Provisional Measures regarding Argentina, Order of November 23, 2017, considerandum 5 (Available only in Spanish); [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 9; [Matter of the Criminal Institute of Plácido de Sá Carvalho](#), Provisional Measures regarding Brazil, Order of February 13, 2017, considerandum 6.

<sup>197</sup> The initial diagnosis evaluates what the matter is about and assesses its degree of urgency, allowing the Commission to prioritize situations posing greater risk. This diagnosis is different from the legal evaluation of the matter, which refers to the technical analysis of whether a request meets the procedural requirements for the granting of a precautionary measure.

681. During the year 2024, the Commission received 1,412<sup>198</sup> new requests for precautionary measures, managing to evaluate 94.83% of them per year. This number represents an increase of 279 more requests than those received in the previous year. The increase was generated by the requests received regarding missing persons in Venezuela since the intensification of persecution against human rights defenders and political opponents in the post-electoral context; the continuity of the human rights crisis in Nicaragua and Cuba; and different electoral contexts, which tend to impact the number of requests for precautionary measures. This is also explained by the weaknesses of national protection mechanisms to respond to urgent situations presenting a high risk of irreparable harm in different countries.

682. At the same time, in 2024, the IACHR continued to advance in the review of the requests for precautionary measures pending a final decision based on chronological criteria. In this sense, the processing was concluded, taking a final decision, of all the precautionary measures registered for 2021, as well as 98,74% of the requests registered in 2022.

683. In this same sense, by means of the referred Resolution 3/2018, there was more agility in the processing of matters that, historically and consistently, the Commission has considered that they are not susceptible to be analyzed through the mechanism of precautionary measures, since they would imply an analysis of the merits of the matter, which is better suited to the petition and case system.<sup>199</sup> In addition, Resolution 3/2018 established criteria that allow the deactivation of requests for precautionary measures in which no response was received from the applicants during the established deadlines.<sup>200</sup>

684. In 2024, the IACHR granted and/or extended 77 precautionary measures through 73 resolutions, for the protection of more than 7,430 individuals and identifiable groups or collectives. Of the requests for precautionary measures under analysis this year, the IACHR granted or extended an average of 5,45%.<sup>201</sup>

685. The increase in the number of requests for precautionary measures this year also implied an additional effort to ensure the success in the timeliness of responses to high-risk requests, such as those related to the protection of persons whose whereabouts or fate is unknown.<sup>202</sup> In this sense, the Commission **was able to grant 76,62% of precautionary measures in less than 90 days after their registration, guaranteeing timely attention to imminent situations.** In previous years, the figures were: in 2020, 63.8% of the measures granted were processed in less than 3 months; in 2021, 34.9%; in 2022, 48%; and 67.3% in 2023. In specific matters, where the imminence of the risk does not admit delay, the IACHR granted precautionary measures in even shorter periods, for example, some precautionary measures from Venezuela were deliberated in up to seven days from their registration. One matter of alleged forced disappearance was processed, evaluated, deliberated and notified in less than 48 hours (862-24 María Andreina Oropeza Camacho regarding Venezuela).

686. Finally, it should be noted that in 2024, the IACHR deliberated on precautionary measures in 1076 consultations.

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<sup>198</sup> Figure only surpassed in the year of 2018, in the context of the human rights crisis in Nicaragua, in which the Commission recorded 1,618 requests received.

<sup>199</sup> In this regard, the Commission recalls that, in accordance with its consolidated practice, the precautionary measures mechanism is not suitable to address requests that deal strictly with matters or claims such as: i) alleged failures to due process and judicial protection in the framework of criminal or civil proceedings (Articles 8 and 25 of the ACHR and Article XVIII of the American Declaration); ii) determining the compatibility, in abstract terms, of a regulation with the American Convention or other applicable instruments; iii) payment of pecuniary compensations, which includes civil, commercial and pension proceedings; iv) allegedly unjustified dismissals of private or public companies of non-popularly elected officials, payment of salaries, determinations on promotions and vacations; v) commercial or civil attachment of property and evictions where no situations presenting a risk to life or personal integrity are alleged; vi) requests for economic resources or support; and vii) purely administrative procedures, including the issuance of certifications, expedited proceedings and declaratory rulings. For more information, see [Resolution 3/2018 on "Strengthening the processing of precautionary measures"](#).

<sup>200</sup> The Commission recalls that a new request for precautionary measures may be filed again.

<sup>201</sup> This figure includes the evaluations for the extension of precautionary measures. As they represent a form of granting, they are reported together with the other grants. Details on extensions are discussed in the "Follow-up of precautionary measures in force."

<sup>202</sup> In 2024, 33.3% of granted/extended requests seek protection for persons whose whereabouts or fate is unknown.

### 3. Follow-up of precautionary measures in force

687. In light of [Resolution 2/2020 - “Strengthening the follow-up of precautionary measures in force”](#), in 2024, the Commission continued its commitment to the States, beneficiaries and their representatives to strengthen the follow-up of precautionary measures in force, as well as to promote transparency, predictability and legal certainty of the decisions. Resolution 2/2020 foresees the possibility for the IACHR to issue Follow-up Resolutions that merit a pronouncement to promote compliance with the protection measures; as well as to hold working meetings outside the Sessions; and to conduct on-site visits to get closer to the beneficiary(ies) and their representatives and State authorities, and to learn directly about the status of the implementation of the measures and assess the current risk.

688. In light of the foregoing, and in order to continue improving the monitoring of the measures in force, the Commission adopted a [working methodology](#) that allows for a periodic evaluation of the precautionary measures in force, both on the adequacy and effectiveness of the protection measures adopted by the States, as well as on the persistence of the procedural requirements. In this way, it is hoped that the Commission can continue to focus on those matters that, due to the existence of the risk in the terms of Article 25, require its due attention.<sup>203</sup> In this sense, the IACHR continued to adopt, at the same time, the Lifting Resolutions in those cases in which it is no longer able to consider that the procedural requirements have been met.<sup>204</sup> It should be recalled that the IACHR has assigned, since 2020, specialized personnel on a full-time basis to follow up on the measures in force, making up the [Special Protection Oversight Group](#).

689. In April 2024, the Commission reported on the four years of Resolution 2/20, publishing a balance of the results achieved and renewing its commitment to the beneficiaries of precautionary measures and the States with a view to seeking the mitigation and elimination of the risk factors identified.<sup>205</sup> The Commission emphasized that the follow-up carried out allows the IACHR to maintain closer contact with the parties in order to achieve the implementation of effective protection measures. Over four years, there was an increase of 134.12% of requests for information in precautionary measures in force from 2019 to 2023, and 86% of measures in force monitored per year. In the same period, there was a 37.7% increase in working meetings and the holding of 10 public hearings to follow up on precautionary measures out of a total of 141 precautionary measures. Similarly, up to 2023, the IACHR added 16 follow-up resolutions approved with respect to 10 countries, as well as six on-site visits to follow up on precautionary measures.

690. As of 2024, **the Commission carried out at least one monitoring action on 100% of the precautionary measures in force.**<sup>206</sup> This achievement shows a change in the supervision model for the measures in force, initiated in 2020, which allows for more periodic follow-up of the precautionary measures, as well as the updating of information to the IACHR in a timelier manner regarding the ongoing risk. Along the same lines, **the IACHR also managed to ensure that the reports of the parties are transferred at least once a year for 100% of the precautionary measures in force.**

691. In 2024, the IACHR was able to implement its strategy of conducting **on-site visits** to follow up on precautionary measures in force on five occasions:

- **From February 12 to 13, 2024, the IACHR conducted a follow-up visit to PM 551-03 José Rubén Zamora Marroquín and family regarding Guatemala.** Mr. Zamora Marroquín is the

<sup>203</sup> IACHR, [Press Release 201/20](#), IACHR Reports Implementation of Resolution 2/2020 on Strengthening of the Monitoring of Precautionary Measures in Force, August 17, 2020.

<sup>204</sup> According to Article 25(9) of the Rules of Procedure of the IACHR: The Commission shall periodically evaluate, ex officio or at the request of a party, the precautionary measures in force, in order to maintain, modify or lift them. At any time, the State may present a well-founded request for the Commission to annul the precautionary measures in force. The Commission shall request observations from the beneficiaries before deciding on the State's request. The presentation of such a request shall not suspend the validity of the precautionary measures granted. IACHR, [Rules of Procedure of the Inter-American Commission on Human Rights](#), 2013.

<sup>205</sup> IACHR, [Press Release 138/24](#), IACHR highlights results of 4 years of implementation of Resolution 2/20 on follow-up to precautionary measures, June 14, 2024.

<sup>206</sup> The IACHR has not been able to take action on six precautionary measures in force in which the representation does not have updated communication data.



founder of *El Periódico* de Guatemala and is the only journalist benefiting from precautionary measures deprived of liberty in the country, in a context of violations of judicial independence. A visit was made to the Mariscal Zavala barracks prison to meet with Mr. Zamora Marroquín about the conditions of his detention. Subsequently, the delegation met with the State entities involved in the execution of the precautionary measures. The IACHR urged the institutions present to promote coordination spaces to continue the implementation of the precautionary measures in a frank, transparent and constructive dialogue.<sup>207</sup>

- **From June 5 to 7, 2024, the IACHR conducted a working visit to Brazil.** Focused on the follow-up to PM-449-22 on behalf of Bruno Araújo, Dom Phillips and members of the Union of Indigenous Peoples of Vale do Javari (UNIVAJA), the visit was aimed at the participation of the IACHR in the event “Act in memory of Bruno Pereira and Dom Phillips” as part of the two-year anniversary of their deaths. During the visit, the IACHR encouraged the State to give continuity to the investigations of the case, as well as to guarantee the effective protection of the 11 members of UNIVAJA, current beneficiaries of the precautionary measure. The Commission reiterated its commitment to continue monitoring the precautionary measure and participated in a meeting of the Joint Working Group of PM 449-22, in follow-up to the Plan of Action approved by the IACHR. In this meeting, it reinforced the need for transparency and the need to guarantee broad participation of all parties in the development of the activities of the Working Group.<sup>208</sup>
- **From October 21 to 22, 2024, the IACHR conducted a working visit to the United States regarding PM 265-20 (persons deprived of liberty at the Northwest ICE Processing Center -NWIPC).** In order to follow up on the precautionary measures, the delegation met with organizations representing the beneficiaries, as well as held meetings with civil society organizations, local authorities in Washington State, the Washington State Attorney General’s Office, staff from the offices of various federal and state senators, individuals who were detained at the NWIPC in the past, and family members of individuals detained today. The IACHR visited the center, toured its facilities and spoke with the authorities responsible for the NWIPC, as well as interviewed several beneficiaries.<sup>209</sup>
- **On October 28, 2024, the IACHR conducted a follow-up visit to PM 1581-18 on behalf of Jorge David Glas Espinel regarding Ecuador.** The Commission visited the beneficiary in his detention center and toured the prison facilities. It also held an inter-institutional meeting with the State entities responsible for the implementation of the precautionary measures.
- **From October 30 to November 1, 2024, the IACHR conducted a working visit to Honduras.** In Tegucigalpa, the Commission met with authorities executing precautionary measures, such as the Office of the Inspector General (*Procuraduría General de la República*); the Secretariat of State in the Offices of Human Rights and Security; the National System for the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Operators; and the Office of the Attorney General of the Nation. Between October 31 and November 1, the Commission traveled to Tocoa, in the Bajo Aguán region. There it met with the beneficiaries of PM 50-14, in favor of leaders of peasant movements in Bajo Aguán, and PM 137-23, in favor of members of the Municipal Committee for the Defense of Common and Public Goods of Tocoa and the Justice for the Peoples Law Firm, as well as their representatives. The IACHR encouraged the strengthening of state institutions in Bajo Aguán.<sup>210</sup>

692. Likewise, the IACHR highlights additional follow-up actions in 2024 to provide greater rapprochement between the parties. A total of 2,776 letters were sent to States and representatives, requesting

<sup>207</sup> IACHR, [Press Release 37/24](#), IACHR Completes Visit to Guatemala to Monitor Compliance With Precautionary Measures Concerning José Rubén Zamora Marroquín, February 20, 2024.

<sup>208</sup> IACHR, [Press Release 154/24](#), IACHR Concludes Working Visit to Brazil on the Precautionary Measures for UNIVAJA, Bruno Araújo Pereira, and Dom Phillips, and the Maria da Penha Case, July 2, 2024.

<sup>209</sup> IACHR, [Press Release 266/24](#), IACHR completes visit to Tacoma, United States, to monitor compliance with precautionary measures, October 29, 2024.

<sup>210</sup> IACHR, [Press Release 285/24](#), IACHR concludes working visit to Honduras, November 12, 2024.

specific information to monitor the implementation of such measures. The IACHR also held bilateral meetings, working meetings and public hearings. In 2024, a high number of bilateral meetings were held with some of the parties, 106 meetings were held with respect to 141 precautionary measures. In 2023, there were 107 bilateral meetings on 111 precautionary measures and, in 2022, 75 bilateral meetings on 80 precautionary measures. In addition, in 2024, 47 working meetings were held on 42 precautionary measures, as well as four public hearings<sup>211</sup> on 60 precautionary measures. Likewise, in 2024, the practice of holding working meetings outside of the sessions continued, with 19 meetings having been held. In addition, the IACHR held 14 portfolio meetings with the States of Argentina, Bolivia, Brazil, Colombia, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Panama, Paraguay, and the Dominican Republic.

189th Period of Sessions			
Working Meetings			
No	PM	Beneficiaries	State
1	455-19	Nina D. R. S. V. and family	Peru
2	120-16	Residents of the Cuninico Community and the San Pedro Community	Peru
3	382-10	Traditional communities of the Xingu river basin, Pará - Belo Monte	Brazil
4	509-23	Lovely Lamour	Haiti
5	491-21	Ms. S.G.R.Q., her daughter A.S.R.Q. and her husband H.A.R.R.	Colombia
6	261-22	A.A.V.B. and his family	Colombia
7	388-12	Edgar Ismael Solorio Solís et al.	Mexico
8	112-16	Relatives of Berta Cáceres and members of COPINH	Honduras
9	196-23	Members of the Caribbean Indigenous Community of Chinese Landing	Guyana
10	551-03	José Ruben Zamora and family	Guatemala

190th Period of Sessions			
Working Meetings			
No	PM	Beneficiaries	State
11	273-11	Fray Tomás González Castillo, Ruben Figueroa, the staff of the Home-Refuge for Migrants 'La 72' et al.	Mexico
12	265-20	Migrants detained at the Northwest Detention Center	United States

<sup>211</sup> IACHR, [Hearings on Precautionary Measures](#).

13	1028-23	Brenda Evers Andrew	United States
14	455-19	D.R.S.V.	Peru
15	754-20	Members of the Guajajara and Awá Indigenous Peoples of the Indigenous Land Araribóia	Brazil
16	408-22	Benny Briolly Rosa da Silva Santos, Marcos Paulo Pereira Costa, Matheus Pereira Costa e Ariela do Nascimento Marinho	Brazil
17	339-09	Claudia Julieta Duque Orrego and MAGD	Colombia
18	890-23	9 journalists from radio stations	Colombia
19	137-23	Identified members of the <i>Comité Municipal de Defensa de los Bienes Comunes y Públicos de Tocoa</i> et al.	Honduras
20	376-15	Irene	Argentina
21	972-18	Semma Julissa Villanueva Villanueva Barahona, Karla Vanessa Beltran Cruz, Gregoria América Gómez	Honduras
22	95-10 e 1151-18	Jorge Fernando Jiménez Reyes and family and Members of the JOPRODEH Organization	Honduras

191st Period of Sessions			
Working Meetings			
No	PM	Beneficiaries	State
23	35-14	People present at Almafuerte and San Felipe Prison Complexes	Argentina
24	339-09	Claudia Julieta Duque Orrego and MAGD	Colombia
25	54-18	German Chirinos Gutierrez	Honduras
26	702-22	Carlos Santiago Vallejos Mora, Maria Nixel Mora Toro, Talia Isabela Benavides Mora, Carlos Alberto Vallejos Castro, Eliana Salome Vallejos Urbano, Ferney Alexander Urbano Toro, Deicy Yanet Andrade Mejia and Kely Katerin Mosquera Rodriguez	Colombia
27	137-23	Identified members of the <i>Comité Municipal de Defensa de los Bienes Comunes y Públicos de Tocoa</i> et al.	Honduras
28	455-19	Girl D. R. S. V. and family	Peru

Working Meetings outside the POS				
No	PM	Beneficiaries	State	Date

29	661-16	Ramón Cadena Rámila	Guatemala	8/04/2024
30	404-23	Members of the organization <i>Alternativa de Reivindicación Comunitaria y Ambientalista de Honduras</i> (ARCAH)	Guatemala	9/04/2024
31	416-13	Tolupan indigenous members of the Broad Movement for Justice and Dignity ( <i>Movimiento Amplio por la Justicia y la Dignidad</i> )	Honduras	9/04/2024
32	69-09	Inés Yadira Cubero González	Honduras	12/04/2024
33	322-11	Miriam Miranda	Honduras	22/04/2024
34	120-16	Residents of the Cuninico Community and the San Pedro Community	Peru	20/05/2024
35	892-22	Pascuala López López and her immediate family	Mexico	3/06/2024
36	102-10	Inhabitants of the Mixtec Indigenous Community of Zimatlán de Lázaro Cárdenas, Putla de Guerrero in Oaxaca	Mexico	26/08/2024
37	1050-21	Families from the Mixtec indigenous communities of Guerrero Grande and Ndoyonuyuji, et al.	Mexico	26/08/2024
38	120-16	Residents of the Cuninico Community and the San Pedro Community	Peru	26/08/2024
39	279-22	Triqui families from the community of <i>Tierra Blanca Copala</i> who are displaced in the neighboring community of Yosoyuxi Copala	Mexico	27/08/2024
40	99-23	1) A. A. Q. O.; 2) A. L. Q. O.; 3) O. E. Q. M.; 4) A. M. O. C.; 5) A. M. R.; 6) E. A. M. J.; and 7) M. C. Q., as well as the children 8) O.S.Q.M., 9) L.E.Q.M. 10) A.C.Q., and 11) V.C.Q	Mexico	27/08/2024
41	341-23	Gustavo Gorriti	Peru	28/08/2024
42	21-05	Wiwa Indigenous People of the Sierra Nevada of Santa Marta	Colombia	13/09/2024
43	104-09	29 displaced families from the municipality of Argelia, Cauca department	Colombia	13/09/2024
44	154-20	Yirley Judith Velasco Garrido	Colombia	16/09/2024
45	822-22	Jhon Anderson Ipia Bubu	Colombia	16/09/2024
46	973-22	Members of the Board of Directors of the Association of Displaced Persons of Catatumbo (ASODESCAT)	Colombia	17/09/2024
47	603-22	Girl K.L.R.	Mexico	3/10/2024

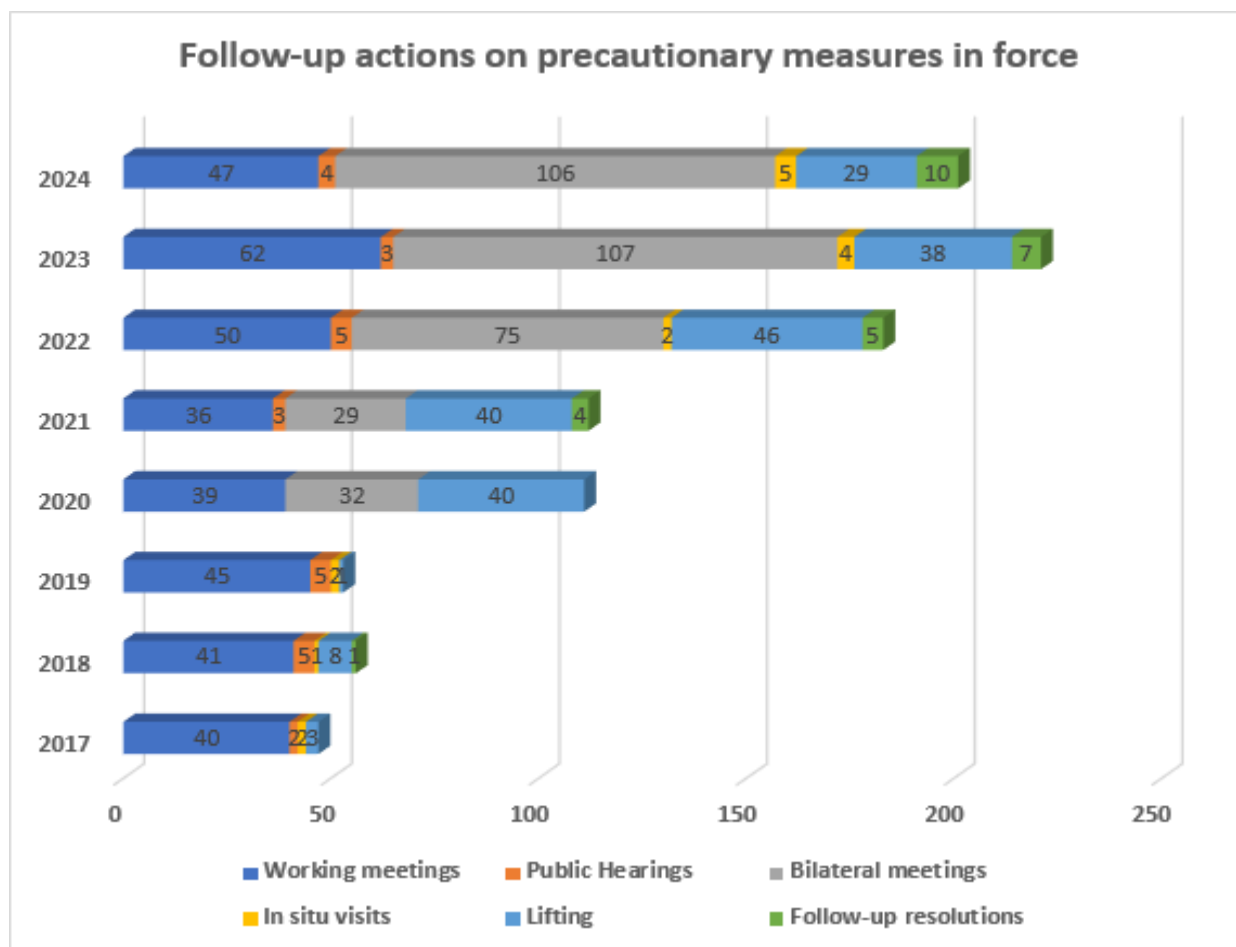
693. The public hearings allow the parties to dialogue with the plenary of the IACHR and present the challenges identified and the progress made in the implementation of the precautionary measures.

189th Period of Sessions			
Public Hearings			
No	PM	Beneficiaries	State

<b>1</b>	306-20; 44-18; 412-17; 860-17; 872-17; 121-11; 260-07	Precautionary measures in favor of indigenous communities	Guatemala
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190th Period of Sessions			
Public Hearings			
No	PM	Beneficiaries	State
<b>2</b>	309-17; 1039-17; 145-18; 1286-18; 1287-18; 1288-18; 1289-18; 150-19; 566-19; 545-19	10 precautionary measures on access to medical care and treatment	Venezuela

191st Period of Sessions			
Public Hearings			
No	PM	Beneficiaries	State
<b>3</b>	70-99; 83-99; 128-00; 131-00; 184-01; 187-01; 265-02; 629-03; 668-03; 705-03; 197-05; 273-06; 146-07; 301-08; 242-09; 319-09; 1-10; 359-10; 323-11; 225-12; 42-14; 113-14; 140-14; 218-14; 522-14; 658-16; 204-17; 210-17; 175-18; 154-20; 649-20; 491-21; 552-21; 799-21; 1113-21; 261-22; 903-22; 973-22; 523-23; 1036-23; 73-24; 376-24	Precautionary measures for human rights defenders	Colombia
<b>4</b>	449-22	Working Group for the Implementation of the PM in favor of Bruno Araújo Pereira and Dom Phillips; and 11 members of UNIVAJA.	Brazil



694. In 2024, the IACHR followed up on the Joint Working Group on the implementation of the precautionary measures in favor of Bruno Araújo, Dom Phillips and members of UNIVAJA in Brazil, created in 2023. The Joint Working Group is carried out in the framework of the follow-up process of Precautionary Measure 449-22 and aims to contribute to the full compliance with the precautionary measure, ensuring a space for articulation and complementarity between the national levels and the Inter-American Commission on Human Rights. The Working Group includes a Plan of Action prepared by the parties and approved by the IACHR through [Follow-up Resolution 76/23](#).<sup>212</sup> The Working Group is scheduled to last for two years. During 2024, the IACHR accompanied three meetings of the Working Group, including a face-to-face meeting during the [on-site visit](#) to follow up on these precautionary measures held between June 5 and 7, 2024, in which the IACHR also participated in the event “Act in memory of Bruno Pereira and Dom Phillips” in the framework of the two-year anniversary of their deaths.

695. At the same time, in the context of the Joint Working Group of PM 449-22, the Commission held a Public Hearing at its 191st POS. The IACHR recognized the advances in the protection of the beneficiaries and in the investigation of the murders of Bruno Araújo and Dom Phillips, encouraging the parties to expand dialogue and transparency. It recalled the rights of indigenous peoples to the effective enjoyment of their territory and the duties of the State to protect them. It maintains its availability for technical cooperation, as

<sup>212</sup> IACHR, [Press Release 286/23](#), IACHR welcomes installation of the Working Group for the precautionary measures of Bruno Araújo, Dom Phillips and UNIVAJA regarding Brazil, December 11, 2023.



foreseen in the Action Plan of the Working Group, and informed that it will continue to follow up on the precautionary measures.<sup>213</sup>

696. It should be noted that the granting of precautionary measures is of a temporary nature. For this reason, and under Article 25(9) of its Rules of Procedure, the IACHR periodically evaluates, ex officio or at the request of a party, the precautionary measures in force in order to maintain, modify or lift them. In this regard, in 2024, the Commission issued 38 resolutions in relation to 39 precautionary measures in force (see details of each Resolution below).

Resolutions			
PM	Type of resolution	Beneficiaries	State
14-18	Lift	Ericka Yamileth Varela Pavón and family	Honduras
150-11	Lift	Hildebrando Velez and Sandra Viviana	Colombia
81-18	Lift	Náthaly Sara Salazar Ayala	Peru
519-17	Lift	Eduardo Valencia Castellanos	Mexico
277-13	Lift	Members of the Otomí-Mexica Indigenous Community of San Francisco Xochicuaútlā	Mexico
542-19	Lift	Clave Enero and his family	El Salvador
281-10	Lift	Oscar Siri Zúñiga and family	Honduras
402-17	Lift	Jair Krischke	Uruguay
53-99	Lift	Mary and Carrie Dann	United States
887-19	Follow-up	Families of the Nueva Austria del Sira Community	Peru
446-23	Lift	Piedad Córdoba	Colombia
264-10	Lift	Gerardo Vera Orcino, Javier Martínez Robles and Francisco de Asís Manuel	Mexico
438-15	Follow-up and extension	Members of the Venezuelan Human Rights Education-Action Program	Venezuela
484-11	Follow-up	José Daniel Ferrer García	Cuba
181-07	Lift	Lovinsky Pierre-Antoine	Haiti
382-12	Lift	Hector Sanchez and four others	Colombia
161-14	Lift	Pierre Espérance	Haiti
261-16	Lift	Daniel Ernesto Prado Albarracín	Colombia
533-17	Follow-up and modification	Williams Davila	Venezuela
359-16	Follow-up and modification	Americo de Grazia	Venezuela
395-18	Follow-up and extension	Authorities and members of the Gonzaya (Buenavista) and Po Piyuya (Santa Cruz de Piñuña Blanco) Reservations of the Siona Indigenous People (ZioBain)	Colombia
132-00	Lift	Jorge Cardona Alzate and Alba Patricia Ribera Uribe	Colombia
271-06	Lift	Marc-Arthur Mésidort and members of his family	Haiti
189-01	Lift	Gerardo Santibáñez Potes and 9 others	Colombia

<sup>213</sup> IACHR, [Summaries of Public Hearings](#), 191st Period of Sessions, November 11-15, 2024.

69-09	Lift	Inés Yadira Cubero González	Honduras
09-02	Lift	Afro-Colombian families in 49 hamlets in the Naya River Basin	Colombia
589-15	Lift	Ana Mirian Romero	Honduras
967-19	Follow-up, extension and modification	Delsa Jennifer Solórzano Bernal, her work team, and P.L.I.S.	Venezuela
457-03	Lift	Mario Minera, Héctor Amílcar Mollinedo and other members of the Center for Legal Action on Human Rights (CALDH)	Guatemala
409-23	Follow-up, extension and modification	Franklin Alfredo Caldera Cordero, Franklin Caldera Martinez and Yuraima Martinez	Venezuela
125-19	Follow-up and modification	María Corina Machado Parisca	Venezuela
143-13 y 181-21	Follow-up, extension and partial lifting	Identified members of the organization “Foro Penal”	Venezuela
185-07	Lift	Norma Cruz Córdova and Alan Maldonado Ordóñez	Guatemala
994-16	Lift	Lorenzo Mendoza and family	Venezuela
1165-18	Lift	Sergio López Cantera	Mexico
144-08	Lift	Persons detained at the Toussaint Louverture Police Station in Gonaïves	Haiti
1375-18	Lift	Daniel Ramírez Contreras and his family	Mexico
603-22	Lift	Girl K. L. R.	Mexico

697. Follow-up Resolutions are a practice that the IACHR decided to consolidate through [Resolution 2/2020](#). They present an opportunity for the Commission to evaluate the implementation and mitigation measures adopted by the State and to delve into the particular aspects of each case, taking into account the criteria established in the aforementioned Resolution 2/2020. **In 2024, the Commission established a historic number of follow-up resolutions, reaching the issuance of 10 resolutions regarding 11 precautionary measures, which are detailed below:**

- [Resolution No. 20/24](#) - PM 887-19 - Families of the Nueva Austria del Sira Community, Peru:

The Commission evaluated the actions taken by the State in favor of the beneficiaries and considered that a situation of risk persists, as well as making assessments regarding the scope of the measures. Consequently, in accordance with Article 25 of the IACHR Rules of Procedure, the Commission decided as follows:

- a) to continue to monitor the precautionary measures granted in favor of the families of the Nueva Austria del Sira Community in the terms of Resolution 57/2019;
- b) to request the State to reinforce the protection measures adopted and send the requested information, in the terms of this resolution;
- c) to request the representation to provide updated information on the risk situation of the families of the Nueva Austria del Sira Community in the terms of this resolution;
- d) to require that both parties continue carrying out the relevant concerted actions, in order to reach agreements aimed at mitigating the identified risk factors and the protection of the families of the Nueva Austria del Sira Community;

- e) to continue to promote the appropriate follow-up measures in terms of Article 25.10 and other provisions of its Rules of Procedure.
- [Resolution No. 26/24](#) - PM 438-15 - Members of the Venezuelan Program of Education-Action on Human Rights (PROVEA), Venezuela.

On April 29, 2024, the IACHR decided to follow up and extend precautionary measures in favor of members of the Venezuelan Program of Education-Action on Human Rights (PROVEA) in Venezuela. According to the request, the members of PROVEA are at risk in the context of their work as human rights defenders in the current situation in Venezuela, considering the visibility of the institution and its coordinators, the frequent stigmatizing remarks made by high-ranking state authorities in the media, and the surveillance and monitoring by state agents. Consequently, under the terms of Article 25 of its Rules of Procedure, the IACHR decided to request that Venezuela:

- a) adopt the necessary measures to guarantee the life and personal integrity of the persons identified as members of the PROVEA team;
- b) adopt the necessary measures so that the beneficiaries can carry out their activities as human rights defenders without being subjected to acts of violence, threats, and harassment;
- c) consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and
- d) report on the actions taken to investigate the alleged facts that led to these precautionary measures, so as to prevent them from reoccurring.
- [Resolution No. 27/24](#) - PM 484-11 - José Daniel Ferrer García, Cuba

The Inter-American Commission on Human Rights adopted, on May 6, 2024, the Follow-up Resolution 27/2024, in relation to the situation of José Daniel Ferrer García, who is being held in inadequate conditions of deprivation of liberty in Cuba. The IACHR expressed particular concern about the State's unwillingness to engage in dialogue, noting that, on the contrary, all the information available, both in the instant matter and through the monitoring of the situation in the country, allows this Commission to affirm that State agents are taking actions that intensify the situation that places the beneficiary at risk, instead of mitigating it. Consequently, the Commission decided as follows:

- a) continue to follow up on the precautionary measures granted on November 5, 2012, in order to protect Mr. José Daniel Ferrer García's life and personal integrity;
- b) require that the State implement the necessary measures to ensure that the beneficiary's detention conditions comply with applicable international standards;
- c) request that the State adopt measures to protect the beneficiary's health in a timely and adequate manner;
- d) require the parties to consult and agree upon the measures to be implemented. The foregoing must include allowing the representation to access information regarding the detention conditions and welfare of the beneficiary, either via family members or other representatives; and
- e) request that the State report on the actions taken in order to investigate the events that led to the adoption of this resolution, so as to prevent such events from reoccurring.

- [Resolution No. 49/24](#) - PM 533-17 - Williams Dávila, Venezuela

The Inter-American Commission on Human Rights (IACHR) adopted on August 14, 2024, the Follow-up and Modification Resolution 49/2024 in relation to the situation of Williams Dávila in Venezuela. The IACHR expressed particular concern about the ongoing risk faced by the beneficiary since the granting of the PM, without the State having adopted protection measures in his favor, and that the risk has increased after his whereabouts have been unknown since August 8, 2024, following his alleged arbitrary detention by State agents in the Plaza de Los Palos Grandes, in Caracas, Venezuela. The IACHR took note of public information that a criminal complaint for “forced disappearance” was filed with the Public Prosecutor’s Office, highlighting the health situation of the beneficiary and recalling his status as an elderly person. After analyzing the submissions of fact and law, in light of the context of repression in the post-electoral protests in Venezuela, the Commission believes that the current situation of Williams Dávila is part of a cycle of events against him that seek to remove him from public debate. Therefore, pursuant to Article 25 of the Rules of Procedure, the IACHR requests that the State of Venezuela:

- a) adopt the necessary measures to guarantee the life and personal integrity of Mr. Williams Dávila;
- b) take the necessary measures to guarantee that Mr. Williams Dávila can carry out his activities as a member of the National Assembly without being subjected to threats, harassment, or acts of violence in the exercise of his functions;
- c) report whether the beneficiary is in the custody of the State and his circumstances, or the measures to determine his whereabouts or fate;
- d) consult and agree upon the measures to be implemented with the beneficiary and his representatives; and
- e) report on the actions taken to investigate the alleged facts that led to the adoption of this resolution, so as to prevent them from reoccurring.

- [Resolution No. 51/24](#) - PM 359-16 - Americo de Grazia, Venezuela

On August 17, 2024, the Inter-American Commission on Human Rights adopted Follow-up and Modification Resolution 51/2024 regarding the situation of Américo de Grazia in Venezuela. The IACHR expressed particular concern about the continued risk faced by the beneficiary since the granting of the PM, without the State having adopted protection measures in his favor, and that the risk has increased after his official whereabouts have been unknown since August 8, 2024, following his alleged arbitrary detention by State agents in Caracas, Venezuela. The IACHR took note of complaints filed before different bodies regarding these facts. Upon analyzing the submissions of fact and law, in light of the context of repression in the post-election protests in Venezuela, the Commission believes that the current situation of Américo de Grazia is part of a cycle of events against him that seek to remove him from public debate. Therefore, under the terms of Article 25 of the Rules of Procedure, the IACHR requests that the State of Venezuela:

- a) Adopt the necessary measures to protect the rights to life and personal integrity of the beneficiary;
- b) Implement the necessary measures to ensure that the proposed beneficiary can carry out his activities as opposition leader in Venezuela, without being subject to threats, harassment, or acts of violence;

- c) Report whether the beneficiary is in the custody of the State and his current circumstances, or provide information on the measures to determine his whereabouts or fate;
  - d) Consult and agree upon on the measures to be implemented with the beneficiary and his representatives; and
  - e) Report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.
- [Resolution No. 53/24](#) - PM 395-18 - Authorities and members of the Gonzaya (Buenavista) and Po Piyuya (Santa Cruz de Piñuña Blanco) reservations of the Siona People (ZioBain), Colombia.

The Inter-American Commission on Human Rights (IACHR) adopted on August 21, 2024, the Follow-up and Extension Resolution 53/2024 regarding the situation of the authorities and members of the Gonzaya and Po Piyuya reservations of the Siona Indigenous People in Colombia (PM-395-18). In the Resolution, the IACHR analyzed the information provided by the parties, positively evaluating the actions implemented by the State and considered that a risk identified in 2018 persists with respect to the reservations of the Siona Indigenous People. The Commission understands that the reported events are part of the actions of the illegal armed groups to consolidate their presence in the reservations and impose themselves on the indigenous authorities. The Commission also analyzed the situation of the human rights defender L.M.E.V., who has been the object of death threats from armed groups operating in the territory of the Indigenous Reservations. The Commission considered that the beneficiary is in a situation posing a serious risk to her rights to life and personal integrity. After analyzing the submissions of fact and law, the Commission considers that the risk has not ceased and, therefore, in accordance with the terms of Article 25 of the Rules of Procedure, the Commission:

- a) Requires the State to strengthen the implementation of necessary measures to effectively protect the life and personal integrity of the groups of beneficiaries identified in Resolution 53/2018, taking into account the assessments made in this Resolution;
  - b) Requests the State to extend the precautionary measures in favor of L.M.E.V. In this regard: (i) adopt the necessary measures to protect the rights to life and personal integrity of the beneficiary; (ii) implement the necessary protection measures so that the beneficiary can continue to carry out her human rights defense work, without being subject to threats, intimidation, harassment, and acts of violence; and (iii) report on the actions taken to investigate the alleged events that led to the adoption of measures in favor of L.M.E.V., so as to prevent such events from reoccurring;
  - c) Exhorts the parties to submit specific, detailed, and updated information on the situation of the beneficiaries with the aim of continuing to analyze their situation pursuant to Article 25 of its Rules of Procedure. At the time of providing this information, the Commission requests that they specify the situation of the beneficiaries or groups of beneficiaries, so that the Commission can adequately identify how these precautionary measures are being implemented with respect to each of the three groups. This includes, among other actions, reporting on individual and collective protection measures in place, concerted actions and agreements reached; and
  - d) Urges the parties to continue with the consultation and coordination spaces at the domestic level within the framework of the implementation of these precautionary measures.
- [Resolution No. 84/24](#) - PM 967-19 - Delsa Jennifer Solórzano Bernal, her work team, and P.L.I.S., Venezuela

On November 12, 2024, the Inter-American Commission on Human Rights (IACHR) adopted Follow-up, Modification, and Extension Resolution 84/2024 in relation to the situation of Delsa Jennifer Solórzano Bernal in Venezuela (PM-967-19). The IACHR considered that the risk that has been observed since the granting of the PM against the beneficiary continues and has been increased in the pre-electoral and post-electoral period of the 2024 presidential election, without the State having adopted protection measures in her favor. Likewise, it considered that certain identified persons of her team and P.L.I.S. share the risk, for which reason the measures in her favor were extended. Upon analyzing the submissions of fact and law, in the terms of Article 25 of its Rules of Procedure, the Commission concluded that the situation of Ms. Delsa Jennifer Solórzano Bernal continues to exist and decided to extend the precautionary measures in favor of Jonathan Gerardi, Eliannys Vidoza, Axel Espinoza, Daniel Murolo, María Isabel Gudiño, Valentina Rodríguez, and P.L.I.S. Therefore, the Commission requested that Venezuela:

- a) adopt the necessary measures to protect the rights to life and personal integrity of Delsa Jennifer Solórzano Bernal, the members of her work team, and P.L.I.S., duly identified in this resolution;
  - b) implement the necessary measures, with a gender perspective, to guarantee that the beneficiaries can carry out their political activities without being subjected to threats, harassment, or acts of violence;
  - c) consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and
  - d) report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.
- [Resolution No. 87/24](#) - PM 409-23 - Franklin Alfredo Caldera Cordero and family, Venezuela

The Inter-American Commission on Human Rights adopted on November 25, 2024, the Follow-up, Modification and Extension Resolution 87/2024 regarding the situation of Franklin Caldera Cordero in Venezuela. The IACHR considered that the risk that places the beneficiary at risk has been observed since the granting of the precautionary measure, continues, and has been extended to his son, Franklin Caldera Martínez, as well as to his wife, Yuraima Martínez. Upon analyzing the submissions of fact and law, in the terms of Article 25 of its Rules of Procedure, the Commission concluded that the situation of Franklin Alfredo Caldera Cordero remains and it is extended to his son, Franklin Caldera Martínez, as well as to his wife, Yuraima Martínez. Consequently, the IACHR decided:

- a) To continue to follow up on the situation of Franklin Alfredo Caldera Cordero;
- b) To extend the precautionary measures in favor of Franklin Caldera Martínez (son) and Yuraima Martínez;
- c) To modify the scope of these precautionary measures, and require that the State of Venezuela:
  - i. adopt the necessary measures to protect the rights to life and personal integrity of Franklin Alfredo Caldera Cordero, Franklin Caldera Martínez and Yuraima Martínez. In the case of Franklin Caldera Martínez, the measures must include those necessary to also protect his right to health;
  - ii. adopt the necessary measures to guarantee that Franklin Alfredo Caldera Cordero can continue to carry out his work as a human rights defender without being subjected to threats, intimidation, harassment or acts of violence in the exercise of his duties. In



particular, it must formally inform the beneficiary of the existence of any investigation process against him, including at least: the facts under investigation, the crimes he is accused of, the prosecutor's office in charge of the investigation, and the competent judicial authority in charge of the investigation. The State must allow the beneficiary and/or his representatives to have access to the entire criminal file against him, if it exists, allowing him to file the corresponding appeals and guaranteeing his security in its processing;

- iii. implement the necessary measures to ensure that the conditions of detention of Franklin Caldera Martínez (son) are compatible with the applicable international standards on the matter, among them: guarantee that he is not subjected to violence, threats, intimidation, aggression and torture inside the prison; guarantee access to adequate and specialized medical care, as well as to the necessary treatment and medication, and immediately carry out a comprehensive medical assessment of his health situation; and evaluate the possibility of granting alternative measures to the deprivation of liberty given the impossibility of protecting his rights in light of the current conditions of detention;
- iv. consult and agree upon the measures to be adopted with the beneficiaries and their representation; and
- v. report on the actions taken to investigate the alleged facts that gave rise to the adoption and validity of these precautionary measures, so as to prevent such events from reoccurring. In particular, the State is requested to conduct an investigation with due diligence into the threats, allegations of torture and other acts of violence reported, including those that could have taken place by State officials and/or agents against the beneficiaries.

- [Resolution No. 89/24](#) - PM 125-19 - María Corina Machado, Venezuela

The Inter-American Commission on Human Rights adopted on November 25, 2024, the Follow-up and Modification Resolution 89/2024 in relation to the situation of María Corina Machado Parisca in Venezuela. The IACHR considered that the risk that has been observed since the granting of the PM against the beneficiary continues, and has increased in the post-electoral period of the 2024 presidential election, without the State having adopted protection measures in her favor. After analyzing the allegations of fact and law, in the terms of Article 25 of its Rules of Procedure, the Commission concluded that the situation of Ms. María Corina Machado Parisca persists, and decided as follows:

- a) Continue to monitor the situation of María Corina Machado Parisca in Venezuela;
- b) Not to extend the precautionary measures in relation to the requested persons;
- c) Modify the scope of these precautionary measures and to require that the State:
  - i. adopt the necessary measures to protect the rights to life and personal integrity of Ms. María Corina Machado Parisca;
  - ii. implement the necessary measures to guarantee that the beneficiary can continue to carry out her political participation activities without being subjected to threats, harassment, or acts of violence in the exercise thereof; In particular, to formally inform the beneficiary about the existence of any investigation against her, including at least: the facts under investigation, the alleged offenses, the prosecutor's office in charge of the investigation, and the competent judicial authority overseeing the case.

The State must allow the beneficiary and/or her representation to have access to the entire criminal file against her, if it exists, thereby allowing her to submit the corresponding appeals and guaranteeing her security in the processing of the file;

- iii. consult and agree upon the measures to be adopted with the beneficiary and her representation; and
  - iv. report on the actions taken to investigate the alleged events that led to the adoption of these precautionary measures, so as to prevent such events from reoccurring. In particular, the State is requested to conduct an investigation with due diligence into the threats and acts of violence reported, including those that could have been against the beneficiary at the hands of State officials and/or agents.
- [Resolution No. 92/24](#) - PM 143-13, 181-19 - Identified members of the “Foro Penal” organization, Venezuela

On November 28, 2024, the IACHR identified that the risk persists with respect to four persons who were beneficiaries of precautionary measures through Resolution 8/2015, Resolution 7/2019, and Resolution 64/2019. It also decided to protect 10 additional persons who are members of the same organization. The IACHR regretted the lack of information and implementation of protection measures by the State, which reportedly places the beneficiaries in a situation of lack of protection in the context of the country. Upon analyzing the available information, the Commission decided:

- a) Extend the precautionary measures in favor of the following persons, currently members of the Foro Penal organization in Venezuela: Kennedy Tejeda, Mayela Fonseca, Lucía Quintero, Pedro Arévalo, Arelys Ayala, Wicza Santos Matiz, Laura Valbuena, Raquel Sánchez Carrero, Franyer Jose Hernandez Valladares, and Marbella Gutiérrez;
- b) Maintain the precautionary measures in favor of Alfredo Romero, Gonzalo Himiob Santomé, Luis Betancourt, and Olnar Ortiz;
- c) Continue to monitor the situation of Olnar Ortiz under the registry of Precautionary Measures 143-13;
- d) Lift the precautionary measures regarding Yoseth Colmenares and Robiro Terán;
- e) Not to extend the measures in favor of Orlando Moreno and the other members of Foro Penal, while keeping the possibility open to submit additional information for future assessment.
- f) Modify the precautionary measures and require that the State of Venezuela:
  - i. adopt the necessary measures to protect the rights to life and personal integrity of the members of Foro Penal duly identified in this resolution;
  - ii. implement the necessary measures to guarantee that the beneficiaries can carry out their human rights defense activities without being subjected to threats, harassment, or acts of violence. Specifically, the Commission requests a detailed report on the circumstances surrounding Kennedy Tejeda’s detention, including his current legal status and ensure that his relatives and trusted legal representatives can communicate with him. Regarding all beneficiaries, to formally inform about the existence of any investigation against them, including at least: the facts under investigation, the alleged offenses, the prosecutor’s office in charge of the investigation, and the competent judicial authority overseeing the case. The State

must allow the beneficiaries and/or their representation to have access to the entire criminal file against them, if it exists, thereby allowing them to file the corresponding appeals and guaranteeing their security in the processing of the file;

- iii. consult and agree upon the measures to be adopted with the beneficiaries and their representatives;
- iv. report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

698. In the periodic evaluation of its precautionary measures, the IACHR analyzes whether they continue to meet the requirements of Article 25 of the Rules of Procedure, and may decide to lift them when there is no longer a serious and urgent risk of irreparable harm. In the process of supervising the implementation of the measures, the IACHR also takes into account contextual information and a differentiated approach in the case of groups in especially vulnerable situations and a gender, intercultural and age perspective, taking into account the risk that persons belonging to these groups may face in specific contexts.

699. In 2024, the IACHR decided to completely lift 28 precautionary measures in force and partially lift one. The lifting of precautionary measures refers to inactive cases, with loss of purpose or, in general, those in which no risk factors were verified to support their validity. As indicated in Article 25 of the Rules of Procedure, lifting decisions are issued by means of substantiated resolutions (see summaries below). The following aspects, among others, are taken into account: i) the existence or continuity of the situation presenting a risk; ii) whether it has changed throughout the implementation; iii) the effectiveness of the measures adopted by the State; iv) the mitigation of the risk; v) whether the beneficiaries continue to reside or have a presence in the State in question; vi) the inactivity or lack of response by the representatives to the requests for information made by the IACHR, so that it does not have information that justifies the validity of the precautionary measures. The above, within the framework of the strategy of keeping the portfolio more focused on those matters that, due to their current level of risk, require special attention from the IACHR.

#### **4. Resolutions adopted**

700. Next, reference is made to the 106 [resolutions](#) on precautionary measures, adopted during 2024, concerning: 70 precautionary measures granted; two extended precautionary measures; two extended precautionary measures with follow-up resolution; two extended precautionary measures with follow-up resolution and modification; one extended precautionary measure with follow-up resolution, modification and partial lifting; three modified precautionary measures with follow-up resolution; three precautionary measures with follow-up resolution and 28 measures fully lifted.

### **ARGENTINA**

#### **Resolution No. 3/24 (GRANT)**

##### **PM 999-23 - Juan Carlos Hollman, Argentina**

On January 12, 2024, the IACHR decided to grant precautionary measures in favor of Juan Carlos Hollman, who suffers from colon cancer and does not receive timely and adequate medical attention while in detention in Argentina. According to the applicant, Mr. Hollman has not been receiving cancer treatment for more than 23 months and has a prescription for a pending surgery. Although there are judicial decisions determining the provision of the prescribed medical care, he indicated that there are delays in the granting of medical appointments and appointments for examinations, as well as missed appointments due to lack of transportation. Considering the position of special guarantor of the State in relation to the persons under its custody and that the passage of time without receiving prescribed medical treatment may lead to a worsening of their health situation, and eventually, the death of the patient, the IACHR decided to grant precautionary measures under the terms of Article 25 of its Rules of Procedure. Therefore, it requested that Argentina:

- a. adopt the necessary measures to protect the rights to life, personal integrity, and health of Mr. Juan Carlos Hollman. In particular, provide the prescribed medical treatment in a timely and appropriate manner;
- b. consult and agree upon the measures to be adopted with the beneficiary and his representative; and
- c. report on the actions taken in order to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent them from reoccurring.

## BRAZIL

### Resolution No. 28/24 (GRANT)

#### PM 50-24 - Members of the Tapeba Indigenous People of Caucaia, Brazil

On May 9, 2024, the IACHR granted precautionary measures in favor of Members of the Tapeba Indigenous People of Caucaia regarding Brazil. According to the request, the beneficiaries are suffering episodes of violence and threats by organized crime and the police, as well as expulsions from their villages in the context of completion of the demarcation of their lands and protection of their territory. Therefore, in terms of Article 25 of its Rules of Procedure, the IACHR decided to require that Brazil:

- a. adopt the necessary and culturally appropriate measures to protect the life and personal integrity of the members of the Tapeba Indigenous People of Caucaia, including against acts perpetrated by third parties. These measures must allow the leaders of the Tapeba Indigenous People to continue carrying out their work in defense of human rights, as well as guarantee that the beneficiaries can return to their villages without being subjected to threats, persecution, or acts of violence;
- b. coordinate the measures to be implemented with the beneficiaries and their representatives; and
- c. report on the actions taken to investigate the events that led to this precautionary measure, so as to prevent such events from reoccurring.

### Resolution No. 38/24 (EXTENSION)

#### PM 61-23 - Members of the Pataxó Hã-Hã-Hãe Indigenous Peoples, Brazil

On June 3, 2024, the IACHR extended precautionary measures in favor of members of the Pataxó Hã-Hã-Hãe Indigenous People regarding Brazil. According to the request, the beneficiaries inhabit the Caramuru-Paraguaçu Indigenous Land in the south of the state of Bahia and are suffering episodes of violence and threats due to disputes over the definition of their territory, as well as the presence of organized crime groups in them. Consequently, under the terms of Article 25 of its Rules of Procedure, the IACHR decided to demand that Brazil:

- a. adopt the necessary and culturally appropriate measures to protect the life and personal integrity of the members of the Pataxó Hã-Hã-Hãe Indigenous People, including from acts perpetrated by third parties. These measures should allow the leaders of the Pataxó Hã-Hã-Hãe Indigenous People to continue carrying out their work in defense of human rights, as well as guarantee that the beneficiaries can return to their villages without being subjected to threats, intimidation or acts of violence;
- b. consult and agree upon the measures to be implemented with the beneficiaries and their representatives; and

- c. report on the actions taken to investigate the facts that gave rise to this precautionary measure, so as to prevent them from reoccurring.

**Resolution No. 83/24 (GRANT)****PM 934-24 - Layrton Fernandes da Cruz's family, Brazil**

On November 12, 2024, the IACHR granted precautionary measures in favor of Layrton Fernandes da Cruz's family members, considering that he is in a serious and urgent situation presenting a risk of irreparable harm to his rights in Brazil. According to the request, the beneficiaries have received constant police raids on their residences, which have intensified after the death of Layrton, a relative of the proposed beneficiaries, which occurred on August 1, 2023, in a police operation carried out in Baixada Santista. The raids include the presence of state security agents armed with rifles under the justification of "combating drug trafficking in the region". The police entries were recorded by security cameras installed in the residences and allegedly occurred on at least 14 occasions and at different times, including in the early hours of the morning, and in the presence of children. Such events are said to have had an intimidating effect on Layrton's relatives, who allegedly felt intimidated and their mental health was affected.

For its part, the State indicated that the protection of the beneficiaries was the subject of a judicial precautionary measure at the domestic level, which was revoked after the proceedings investigating Layrton's death were shelved. It referred that the file of the investigation process was sent to Internal Affairs of the Military Police on July 4, 2024, and that the information on the threatening events was forwarded to the Military Justice and to the Public Prosecutor's Office responsible for the external control of the police activity.

Consequently, under the terms of Article 25 of the Rules of Procedure, the IACHR requested that Brazil:

- a. adopt the necessary measures to protect the rights to life and integrity of the beneficiaries;
- b. consult and agree upon the measures to be implemented with the beneficiaries and their representatives; and
- c. report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

**COLOMBIA****Resolution No. 5/24 (LIFT)****PM 150-11 - Hildebrando Vélez and Sandra Viviana Cuéllar, Colombia**

The Inter-American Commission on Human Rights (IACHR) decided to lift these precautionary measures in favor of Hildebrando Vélez and Sandra Viviana Cuéllar. At the time of making the decision, the Commission assessed the actions taken by the State during the implementation, as well as the observations of the beneficiaries' representation. Following the State's request to have the measures lifted, the IACHR requested, on several occasions, observations from the representatives, who provided their observations. In this regard, given the nature of the precautionary measures and in light of the information available, the Commission considered that at present there is no information available to find that the terms of Article 25 of the Rules of Procedure are fulfilled. After failing to identify compliance with the procedural requirements, the IACHR decided to lift the precautionary measures at hand.

**Resolution No. 12/24 (GRANT)****PM 51-24 - Cindy Vanessa Arenas Fernández and her family, Colombia**

On March 22, 2024, the IACHR granted precautionary measures in favor of Cindy Vanessa Arenas Fernández and her family. Cindy Vanessa, an indigenous woman, was the victim of an attempted feminicide and is reportedly being threatened and persecuted, along with her family, by the identified aggressor and individuals

from his circle. Meanwhile, the State indicated that it had determined the application of protection measures, without specifying which ones and the beginning of their implementation. The Commission, after evaluating the various actions of the State, deemed them insufficient to prevent the threatening events from continuing. Furthermore, Cindy Vanessa continued to be subjected to death threats, surveillance, and persecution. The mentioned events also extended to members of her family.

Pursuant to Article 25 of the Rules of Procedure, the Commission requested that Colombia:

- c. adopt the necessary measures to protect the rights to life and personal integrity of Cindy Vanessa Arenas Fernández, Yu'usa Katleen Timaná Arenas, C.L.T.A., and H.S.S.T., with an intersectional approach that considers gender, ethnicity/race, and age, in accordance with the applicable international standards and obligations;
- d. consult and agree upon the measures to be implemented with the beneficiaries and their representatives; and
- e. report on the actions taken in order to investigate the alleged facts that gave rise to the granting of these precautionary measures, so as to prevent such events from reoccurring.

**Resolution No. 19/24 (GRANT)**

**PM 73-24 - Thirteen members of the La Plata Bahía Málaga Community, Colombia**

On April 8, 2024, the IACHR decided to grant precautionary measures in favor of thirteen territorial authorities, social leaders and defenders of ethnic-territorial rights of the Community Council of the black communities of La Plata Bahía Málaga, located in Buenaventura, Valle del Cauca. According to the request, the Community Council has resisted claims of territorial control by illegal armed actors and has been suffering armed incursions by these illegal groups since January 2024. The IACHR highlighted the imminence of the risk, underlining the continuity of the threatening events. Consequently, under the terms of Article 25 of its Rules of Procedure, the IACHR decided to grant the precautionary measures and requested that the State of Colombia:

- a. adopt the necessary and culturally appropriate measures to safeguard the life and personal integrity of the beneficiaries. Among other things, it is requested to take the relevant measures to guarantee that they can safely return to their community;
- b. adopt the necessary protection measures so that the beneficiaries can continue carrying out their activities in defense of human rights without being subjected to threats, intimidation, harassment or acts of violence;
- c. consult and agree upon the measures to be adopted with the beneficiaries and/or their representatives; and
- d. report on the actions taken to investigate the alleged facts that gave rise to these precautionary measures, so as to prevent such events from reoccurring.

**Resolution No. 22/24 (LIFT)**

**PM 446-03 - Piedad Córdoba, Colombia**

The Inter-American Commission on Human Rights (IACHR) decided to lift these precautionary measures in favor of Piedad Córdoba in Colombia. In making the decision, the Commission assessed the State's actions during the implementation, as well as the observations of the beneficiary's representation. In February 2024, the parties reported the death of the beneficiary from natural causes in January of the same year. As a result of her death, the Commission considers that the measures are now spent and there is no further need for protection.



**Resolution No. 32/24 (GRANT)****PM 140-24 - Aldemar Solano Cuellar and his son, Colombia**

On May 16, 2024, the IACHR decided to grant precautionary measures in favor of journalist Aldemar Solano Cuellar and his son, Aldemar Felipe Solano Obando. The request argued that Solano Cuellar, director of the digital news program “Conexión”, has received death threats from the illegal armed group “Clan del Golfo”, which include details about his residence and family, and extortion demands. The threats have also been directed at his son, who has received similar intimidating calls. Despite complaints and requests for protection, no concrete measures have been implemented to safeguard their safety. The IACHR noted that the threats persist and that Solano Cuellar, after moving for safety, had to return to Villavicencio. The lack of protection has led him to confine himself to his home, affecting his journalistic work. Consequently, pursuant to Article 25 of its Rules of Procedure, the IACHR decided to grant the precautionary measures and requested that the State of Colombia:

- a. adopt the necessary measures to protect the rights to life and integrity of the beneficiaries;
- b. implement the necessary measures so that Aldemar Solano Cuellar can carry out his activities as a journalist without being subjected to threats, harassment, or other acts of violence in the exercise of his work;
- c. consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and
- d. report on the actions taken to investigate the alleged facts that led to this precautionary measure, so as to prevent them from reoccurring.

**Resolution No. 33/24 (GRANT)****PM 1036-23 - Víctor Miguel Ángel Moreno Campaña, Colombia**

On May 20, 2024, the IACHR granted precautionary measures in favor of Víctor Miguel Ángel Moreno, community leader and legal representative of the Community Council of Black Communities of Pueblo Rico. According to the request, Mr. Moreno is at risk due to death threats and intimidation attributed to armed groups operating in the area. When analyzing the request, the Commission took into account the alleged facts in light of the context it has been monitoring in Colombia and assessed the protection measures that have been implemented over time. However, given the nature of the threats, the absence of information on progress in the investigative processes, as well as the need to reinforce the protection measures, it was considered that the risk has not been adequately mitigated.

Pursuant to Article 25 of its Rules of Procedure, the IACHR requested that the State of Colombia:

- a. adopt, with an ethnic differential approach, the necessary measures to protect the rights to life and integrity of the beneficiary;
- b. implement the necessary measures so that the beneficiary can carry out his human rights defense activities without being subjected to threats, harassment or other acts of violence in the exercise of his work;
- c. consult and agree upon the measures to be adopted with the beneficiary and his representatives; and
- d. report on the actions taken to investigate the alleged facts that gave rise to this precautionary measure, so as to prevent them from reoccurring.

**Resolution No. 34/24 (GRANT)****PM 376-24 - Sonia Chilgueso Dagua, Diana Montilla Moreno, and their families, Colombia**

On May 23, 2024, the IACHR granted precautionary measures in favor of Sonia Chilgueso Dagua, an indigenous woman, and Diana Montilla Moreno, a lawyer and human rights defender, and their respective families, who are being intimidated, harassed and threatened by armed groups in Colombia. Despite complaints and requests for protection to the authorities, adequate protection measures have not been implemented and there has been no progress in the investigations. The Commission concluded that the beneficiary families are exposed to threats, as well as to being declared military targets, being followed by armed groups, to forced displacement and kidnapping attempts, as in the case of Sonia's daughter, whose whereabouts are unknown, with allegations that she may have been killed in a confrontation between armed groups. The State's actions were not sufficient to mitigate the risks, reinforcing the need for the precautionary measures requested. The Commission considered that the matter meets *prima facie* the requirements of seriousness, urgency and irreparable harm.

In accordance with Article 25 of the Rules of Procedure, the Commission requires that Colombia:

- a. adopt the necessary and culturally appropriate measures to protect the rights to life and personal integrity of the beneficiaries, in accordance with applicable international standards and obligations. In particular, to determine the situation of V.C.D., daughter of Sonia Chilgueso Dagua, whose whereabouts or fate is unknown;
- b. implement the measures to be adopted with the beneficiaries and/or their representatives; and
- c. report on the actions taken to investigate the alleged events that led to this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 36/24 (LIFT)****PM 382-12 - Héctor Sánchez and four other persons, Colombia**

The Inter-American Commission on Human Rights (IACHR) decided to lift these precautionary measures in favor of Héctor Sánchez, Alexander Castrillón Cubides, Hugo Mejía, Claudia Fierro Camacho, and Neiret Escobar Vela, in Colombia. In the process of reaching a decision, the Commission evaluated the actions taken by the State during implementation as well as the observations submitted by the beneficiaries' representation. Despite several requests for updates, the representation has not sent any information to the Commission since 2020. Upon being notified that the current risk would be assessed, the representation still did not provide a response. Consequently, upon not identifying compliance with the procedural requirements, the IACHR has decided to lift these precautionary measures.

**Resolution No. 47/24 (LIFT)****PM 261-16 - Daniel Ernesto Prado Albarracín, Colombia**

The Inter-American Commission on Human Rights (IACHR) decided to lift these precautionary measures in favor of Daniel Ernesto Prado Albarracín. The Commission evaluated the actions taken by the State during the time the measures were in force. Despite several requests for information, the representation has not provided a substantial response since the precautionary measures were granted in 2017. Upon being notified that an assessment was to be carried out to determine whether the risk persisted, the representation did not reply. Consequently, upon not identifying compliance with the procedural requirements, the IACHR has decided to lift these precautionary measures.

**Resolution No. 53/24 (FOLLOW UP AND EXTENSION)****PM 395-18 - Authorities and members of the Gonzaya (Buenavista) and Po Piyuya (Santa Cruz de Piñuña Blanco) reservations of the Siona People (ZioBain), Colombia**

The Inter-American Commission on Human Rights (IACHR) adopted on August 21, 2024, the Follow-up and Extension Resolution 53/2024 regarding the situation of the authorities and members of the Gonzaya and Po Piyuya reservations of the Siona Indigenous People in Colombia (PM-395-18).

In the Resolution, the IACHR analyzed the information provided by the parties, positively evaluating the actions implemented by the State and considered that a risk identified in 2018 persists with respect to the reservations of the Siona Indigenous People. The Commission understands that the reported events are part of the actions of the illegal armed groups to consolidate their presence in the reservations and impose themselves on the indigenous authorities. The Commission also analyzed the situation of the human rights defender L.M.E.V., who has been the object of death threats from armed groups operating in the territory of the Indigenous Reservations. The Commission considered that the beneficiary is in a situation posing a serious risk to her rights to life and personal integrity. After analyzing the submissions of fact and law, the Commission considers that the risk has not ceased and, therefore, in accordance with the terms of Article 25 of the Rules of Procedure, the Commission:

- a. Requires the State to strengthen the implementation of necessary measures to effectively protect the life and personal integrity of the groups of beneficiaries identified in Resolution 53/2018, taking into account the assessments made in this Resolution;
- b. Requests the State to extend the precautionary measures in favor of L.M.E.V. In this regard: (i) adopt the necessary measures to protect the rights to life and personal integrity of the beneficiary; (ii) implement the necessary protection measures so that the beneficiary can continue to carry out her human rights defense work, without being subject to threats, intimidation, harassment, and acts of violence; and (iii) report on the actions taken to investigate the alleged events that led to the adoption of measures in favor of L.M.E.V., so as to prevent such events from reoccurring;
- c. Exhorts the parties to submit specific, detailed, and updated information on the situation of the beneficiaries with the aim of continuing to analyze their situation pursuant to Article 25 of its Rules of Procedure. At the time of providing this information, the Commission requested that they specify the situation of the beneficiaries or groups of beneficiaries, so that the Commission can adequately identify how these precautionary measures are being implemented with respect to each of the three groups. This includes, among other actions, reporting on individual and collective protection measures in place, concerted actions and agreements reached; and
- d. Urges the parties to continue with the consultation and coordination spaces at the domestic level within the framework of the implementation of these precautionary measures.

**Resolution No. 57/24 (GRANT)**  
**PM 833-24 - Adolescent S.J.C.A., Colombia**

On August 24, 2024, the IACHR granted precautionary measures in favor of the adolescent S.J.C.A., upon considering that she is at serious and urgent risk of irreparable harm to her rights in Colombia. According to the request, the beneficiary has been missing since April 20, 2024, after allegedly being recruited by the illegal armed group of Segunda Marquetalia. The adolescent was able to communicate with her parents through audio and text messages until August 2024. In these messages, she indicated that she was ill, had injuries on her body, and had suffered unspecified punishments for attempting to escape from the location where she is being held. In addition, the attached medical reports indicate that she has alleged health issues and reportedly requires special health care that is not being provided by the reported recruiters. Although reports have been made to various bodies, there have been no search actions. Given the lack of response from the State, the Commission has no elements to assess the actions that may have been initiated in her favor.

The IACHR considered the seriousness of the passage of time under the alleged conditions, the context in which she is immersed, as well as the deterioration of her health and the potential fatal consequences. Consequently, under the terms of Article 25 of its Rules of Procedure, it requested that Colombia:

- a. adopt the necessary measures to determine the situation and whereabouts of the beneficiary, in order to protect her rights to life, personal integrity, and health, and;
- b. report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 59/24 (LIFT)****PM 132-00 - Jorge Cardona Alzate and Alba Patricia Ribera Uribe, Colombia**

The Inter-American Commission on Human Rights (IACHR) decided to lift these precautionary measures in favor of Jorge Cardona Alzate and Alba Patricia Ribera Uribe regarding Colombia. Despite several requests for updates, the accredited representation has not sent the Commission any information since 2021. Upon being notified that a risk assessment would be carried out, the representation did not respond. Consequently, upon not identifying compliance with the procedural requirements, the IACHR has decided to lift these precautionary measures. Lastly, the Commission recalled that the Inter-American Court of Human Rights has been overseeing Jineth Bedoya Lima's situation as part of the ruling in the Case of Bedoya Lima et al. v. Colombia.

**Resolution No. 65/24 (GRANT)****PM 765-24 - William Stiven Rojas Rincon and his family unit, Colombia**

On September 19, 2024, the IACHR granted precautionary measures in favor of journalist, community and social leader William Stiven Rojas Rincon, considering that he is in a serious and urgent situation presenting a risk of irreparable harm to his rights in Colombia. According to the request, the beneficiary has been receiving death threats and being followed in a sustained manner. The alleged events are allegedly occurring as a direct consequence of his journalistic and social leadership activities. However, no progress has been made in the investigations. On July 17, 2024, the competent judicial authority ordered an additional security detail and ordered the UNP to conduct a new risk assessment. The request reported failures in the implementation of the granted detail and alleged that the new risk assessment study had not been carried out. For its part, the State informed that the risk assessment study has been underway since July 29, 2024, and that the proposed beneficiary purportedly has one ballistic protection vest, one means of communication, one protection person and transportation support. Finally, he indicated that payment of the August transportation support is pending. The Commission valued the work of the beneficiary, the ongoing threatening situations over time, the lack of progress in the investigation and the fact that a new risk assessment is still pending, despite the judicial determination. Therefore, in accordance with the terms of Article 25 of the Rules of Procedure, it requested that Colombia:

- a. adopt the necessary measures to protect rights to life and personal integrity of the beneficiaries, in accordance with applicable international standards and obligations;
- b. implement the necessary measures to ensure that William Stiven Rojas Rincon can carry out his work as a journalist and human rights defender without being subjected to threats, intimidation, harassment, or other acts of violence in the course of his duties;
- c. consult and agree upon the measures to be implemented with the beneficiaries; and
- d. report on the actions taken to investigate the alleged facts that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 66/24 (GRANT)****PM 690-24 - G.O.F. and his family unit, Colombia**

On September 19, 2024, the IACHR decided to grant precautionary measures in favor of G.O.F. and his family members. The request argued that G.O.F., a patrol officer of the Colombian National Police, was subjected to death threats after he delivered explosives to the authorities that were allegedly to be supplied to the National

Liberation Army (ELN) by sub-inspector of the Anti-Narcotics Unit. As a result of his refusal to return the explosive material, G.O.F. and his family received threats and were persecuted, which forced them to move several times. For its part, the State reported that an investigation was opened into the threats and that there are internal protection mechanisms available for public officers and witnesses. The IACHR noted that the threats against G.O.F. and his family persist, and that no material protection measures have been adopted to guarantee their safety. It also considered that the leak of G.O.F.'s whereabouts aggravates his situation of vulnerability and puts his entire family at risk. Consequently, in the terms of Article 25 of its Rules of Procedure, the IACHR decided to grant the precautionary measures and requested that the State of Colombia:

- a. adopt the necessary measures to protect the rights to life and integrity of the beneficiaries, including putting in place appropriate protocols to ensure the confidentiality of all information about their status and whereabouts;
- b. consult and agree upon the measures to be implemented with the beneficiaries and their representatives; and
- c. report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 69/24 (GRANT)**

**PM 972-24 - Adolescent J.A.R.L and his father, Colombia**

On October 2, 2024, the IACHR granted precautionary measures in favor of adolescent J.A.R.L and his father, upon considering that they are at serious and urgent risk of irreparable harm to their rights in Colombia. The request for precautionary measures alleged that the proposed beneficiary J.A.R.L has been missing since August 21, 2024, after being allegedly kidnapped by the armed group called "Jaime Martínez" in Colombia. Following these events, J.A.R.L.'s father began to receive threats and intimidation while carrying out efforts to search for his son. Although complaints were filed, reportedly no search actions were initiated. The Commission considered the alleged facts in light of the context it has been monitoring in Colombia and acknowledged the commitment expressed by the State in this matter. Nevertheless, it expressed concern over the information presented, especially the absence of confirmation on the effective activation of the urgent search mechanism for the adolescent J.A.R.L, and the lack of protective measures for J.A.R.L.'s father or other efforts to support the search. Consequently, based on Article 25 of its Rules of Procedure, it requires that Colombia:

- a. adopt the necessary measures to determine the situation and whereabouts of the beneficiary, in order to protect his rights to life and personal integrity;
- b. implement the necessary measures to protect J.A.R.L.'s father from intimidation and other acts of violence while he continues to search for his son;
- c. consult and agree upon the measures to be implemented with the beneficiaries and their representatives; and
- d. report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 70/24 (LIFT)**

**PM 189-01 - Gerardo Santibáñez Potes and nine others, Colombia**

The Inter-American Commission on Human Rights (IACHR) decided to lift these precautionary measures in favor of the members of the board of directors of SINTRAEMSDDES. At the time of making the decision, the Commission assessed the actions taken by the State during implementation, and the beneficiaries' current

situation. Following the requests to lift and upon not identifying compliance with the requirements outlined in Article 25 of its Rules of Procedure, the IACHR has decided to lift these measures.

**Resolution No. 72/24 (GRANT)**  
**PM 867-23 - Child Y.A.V.G., Colombia**

On October 13, 2024, the IACHR granted precautionary measures in favor of the child Y.A.V.G, considering that he is in a serious and urgent situation presenting a risk of irreparable harm to his rights in Colombia. According to the request, José Eduardo Vargas Parra, the father, has had no contact with his son, the child Y.A.V.G., since November 15, 2017, relying on judicial determinations on a regime of cohabitation between father and son. This situation has remained, despite administrative, civil, criminal and constitutional actions initiated by the father. This request is related to petition 1976-23.

After requesting information from the State, the Commission took note of the response provided by the Colombian institutional authorities regarding the proceedings and investigations underway. In this regard, the Commission observed that, even though the child has stated that he has not seen his father for the past seven years, the reports attached by the State do not mention any attempt to reconnect him, nor do they provide information suggesting that the absence of ties with him is based on the best interests of the child.

Therefore, in the terms of Article 25 of the Rules of Procedure, the IACHR requested that Colombia adopt the necessary measures to safeguard, in accordance with the best interests of the child, the rights to identity, family life, and personal integrity of the beneficiary. These measures are to remain in effect until the underlying dispute is resolved, in order to ensure the useful effect of any eventual decision made within the petition and case system. In the same way, it required that the State evaluate the impact of the alleged lack of relationship between father and son, according to the applicable international standards on cohabitation with both parents.

**Resolution No. 76/24 (LIFT)**  
**PM 9-02 - Afro-Colombian families in 49 hamlets in the Naya River, Colombia**

The Inter-American Commission on Human Rights (IACHR) decided to lift these precautionary measures in favor of the Afro-Colombian families living in 49 hamlets located in the Naya River basin in Buenaventura. The Commission assessed the actions taken by the State during implementation, as well as the observations of the beneficiaries' representation. After several requests for information, the representation has failed to send a response since 2020. In this regard, given the nature of the precautionary measures mechanism and considering the information available, the Commission deemed that it did not have the elements to find compliance with the requirements of Article 25 of the Rules of Procedure. Consequently, the IACHR has decided to lift these precautionary measures and continue to follow up on the situation through its monitoring mechanisms.

**Resolution No. 86/24 (GRANT)**  
**PM 978-24 - Erika Vanessa Trochez Ortiz and Jazmín Elena Ortiz Urcue, Colombia**

On November 17, 2024, the Inter-American Commission on Human Rights (IACHR) granted precautionary measures in favor of Erika Vanessa Trochez Ortiz and Jazmín Elena Ortiz Urcue, after considering that they are in a serious and urgent situation presenting a risk of irreparable harm to their rights in Colombia. The applicant indicated that Erika Vanessa was recruited by an armed group on November 11, 2023, is being held against her will and her whereabouts are unknown at present. Likewise, her mother Jazmín Elena is reportedly receiving threats from the armed group in retaliation for searching for her daughter. Therefore, under the terms of Article 25 of the Rules of Procedure, the ICAHR requested that the State of Colombia:

- a. adopt the necessary measures to determine the situation and whereabouts of Erika Vanessa Trochez Ortiz, in order to protect her rights to life, personal integrity, and health; and protect the life and personal integrity of Jazmín Elena Ortiz Urcue;



- b. implement the necessary measures so that Jazmín Elena Ortiz Urcue can continue with her actions to search for and report on the situation of her daughter, without being subjected to threats, intimidation, harassment, and acts of violence;
- c. consult and agree upon the measures with the beneficiary Jazmín Elena Ortiz Urcue and their representatives; and
- d. report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 95/24 (GRANT)****PM 203-24 - Antonio Miguel Rivera Escolar and Lenin Ernesto Rivera Escolar, Colombia**

On December 9, 2024, the IACHR granted precautionary measures in favor of Antonio Miguel Rivera Escolar and Lenin Ernesto Rivera Escolar. According to the request, the beneficiaries are human rights defenders and seek justice for the murder of their father Antonio María Rivera Movilla in 2003 by paramilitary groups. It is alleged that they have been subjected to extortion and threats by illegal armed groups when resuming productive activities on their father's farms. This request is related to Case 12.881, pending before the IACHR, regarding the murder of Mr. Rivera Movilla, father of the proposed beneficiaries. Upon analyzing the submissions of fact and law furnished by the parties, the Commission considers that the information presented shows prima facie that the beneficiaries are in a serious and urgent situation, given that their rights to life and personal integrity are at risk of irreparable harm. Therefore, it requested that Colombia:

- a. adopt the necessary measures to protect the rights to life and personal integrity of Antonio Miguel Rivera Escolar and Lenin Ernesto Rivera Escolar;
- b. implement the corresponding actions so that the beneficiaries can continue their work of defense of human rights and search for justice in relation to the murder of their father;
- c. consult and agree upon the measures to be adopted with the beneficiaries and their representation; and
- d. report on the actions taken to investigate the alleged facts that led to this precautionary measure, so as to prevent them from reoccurring.

**Resolution No. 106/24 (GRANT)****PM 585-24 - Segundo Bolívar Madroñero Hernández and his sons, Colombia**

On December 31, 2024, the IACHR decided to grant precautionary measures in favor of independent journalist Segundo Bolívar Madroñero Hernández and his sons, due to threats, attacks, and harassment related to his journalistic work in Colombia. Since 2016, Madroñero has been subjected to threats and harassment by illegal armed groups linked to his investigations into organized crime and corruption in Nariño, a situation that has worsened in 2024. The State reported that protection measures have been implemented through the National Protection Unit (UNP) and the National Police. The IACHR observed that the protection measures granted by the State have been insufficient to mitigate the risk, which affects not only his safety, but also his right to freedom of expression. Consequently, under the terms of Article 25 of its Rules of Procedure, the IACHR decided to grant the precautionary measures and requested that the State of Colombia:

- a. adopt the necessary measures to protect the rights to life and integrity of the beneficiaries;
- b. implement the necessary measures so that Segundo Bolívar Madroñero Hernández can carry out his activities as a journalist without being subjected to threats, harassment, or other acts of violence in the exercise of his work;

- c. consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and
- d. report on the actions taken to investigate the alleged facts that gave rise to this precautionary measure, so as to prevent such events from reoccurring.

## **COSTA RICA**

### **Resolution No. 90/24 (GRANT)**

#### **PM 330-24 - Reinaldo Picado Miranda, Costa Rica**

On November 25, 2024, the IACHR granted precautionary measures in favor of Reinaldo Picado, after considering that he is in a serious and urgent situation, given that his rights to life and personal integrity face a risk of irreparable harm. Consequently, and with the objective of assisting the State in the fulfillment of its obligations, Costa Rica is requested to adopt the necessary measures to guarantee the rights to life and personal integrity of Mr. Picado Miranda. In particular, refraining from deporting, expelling or extraditing the beneficiary to Nicaragua until the competent Costa Rican domestic administrative and/or judicial authorities have duly assessed, in accordance with applicable international standards and the principle of non-refoulement, the alleged risk that his rights to life and physical integrity would face if deprived of his liberty in Nicaragua under the current context of the country.

## **CUBA**

### **Resolution No. 21/24 (GRANT)**

#### **PM 280-24 - Julio César Góngora Millo, Cuba**

On April 10, 2024, the IACHR granted precautionary measures in favor of Julio César Góngora Millo. It was indicated that Mr. Millo is a human rights activist and has been identified as a “counterrevolutionary” or “dissident” by the State. As a result, he is reportedly suffering threats, intimidation, harassment and surveillance attributed to State agents. In addition to the above, it has been alleged that the beneficiary is being denied medical attention by the State as part of the retaliatory actions against him. After evaluating the available information, the Commission requested that the State of Cuba:

- a. adopt the necessary measures to protect the rights to life and personal integrity of the beneficiary;
- b. adopt the necessary protective measures so that the beneficiary can continue to carry out his work defending human rights, without being subject to threats, intimidation, harassment, and acts of violence. The foregoing implies, among other measures, that the State provide the corresponding medical care so that he can perform his duties; and
- c. report on the actions taken to investigate the alleged events that led to the adoption of this resolution, so as to prevent such events from reoccurring.

### **Resolution No. 24/24 (GRANT)**

#### **PM 352-23 - Aniette González García, Cuba**

On April 26, 2024, the IACHR granted precautionary measures to Aniette Gonzalez Garcia, who is deprived of her liberty and at risk due to the lack of adequate medical attention for her health problems in the conditions of detention in which she is being held. At the time of assessing the decision, the IACHR noted the conditions of detention and the lack of specialized medical care, which is aggravated by the insufficient food and supplies according to her current health condition. It also observed that she is being subjected to differential treatment by security agents. After analyzing the available information, the IACHR, in accordance with Article 25 of its Rules of Procedure, requested that Cuba:

- a. adopt the necessary measures to protect the rights to life, personal integrity and health of Aniette González García, with a gender perspective, in accordance with applicable international standards and obligations;
- b. implement the necessary measures to bring her conditions of detention into line with applicable international standards. In particular, ensuring that the corresponding medical diagnoses are made and that her medical treatment is defined;
- c. consult and agree upon the measures to be adopted with the beneficiary and her representatives; and
- d. report on the actions taken to investigate the alleged facts that gave rise to the adoption of this resolution, so as to prevent such events from reoccurring.

**Resolution No. 27/24 (FOLLOW-UP)****PM 484-11 - José Daniel Ferrer García, Cuba**

The Inter-American Commission on Human Rights (IACHR) adopted on May 6, 2024 the Follow-up Resolution 27/2024, in relation to the situation of José Daniel Ferrer García, who is being held in inadequate conditions of deprivation of liberty in Cuba (PM-484-11). The IACHR expressed particular concern about the State's unwillingness to engage in dialogue, noting that, on the contrary, all the information available, both in the instant matter and through the monitoring of the situation in the country, allows this Commission to affirm that State agents are taking actions that intensify the situation that places the beneficiary at risk, instead of mitigating it. Consequently, the Commission decided as follows:

- a. continue to follow up on the precautionary measures granted on November 5, 2012, in order to protect Mr. José Daniel Ferrer García's life and personal integrity;
- b. require that the State implement the necessary measures to ensure that the beneficiary's detention conditions comply with applicable international standards;
- c. request that the State adopt measures to protect the beneficiary's health in a timely and adequate manner;
- d. require the parties to consult and agree upon the measures to be implemented. The foregoing must include allowing the representation to access information regarding the detention conditions and welfare of the beneficiary, either via family members or other representatives; and
- e. request that the State report on the actions taken in order to investigate the events that led to the adoption of this resolution, so as to prevent such events from reoccurring.

**Resolution No. 29/24 (EXTENSION)****PM 96-15 - Marienys Pavó Oñate, Cuba**

On May 11, 2024, the IACHR extended precautionary measures in favor of Marienys Pavó Oñate regarding Cuba. According to the request, Ms. Pavó Oñate is the wife of Julio Alfredo Ferrer Tamayo, member of the Legal Information Center "Cubalex" and beneficiary of these precautionary measures. The representation alleged that she is being subjected to harassment by State agents since Ferrer Tamayo is outside the country, this is so in retaliation for the work that her husband carries out internationally in the field of human rights and with the objective of preventing him from returning to Cuba. Consequently, under the terms of Article 25 of its Rules of Procedure, the IACHR decided to request that Cuba:

- a. adopt the necessary measures to guarantee the life and personal integrity of Marienys Pavó Oñate;

- b. consult and agree upon the measures to be adopted with the beneficiary and the representation she designates; and
- c. report on the actions implemented to investigate the alleged facts that gave rise to these precautionary measures, so as to prevent such events from reoccurring.

**Resolution No. 30/24 (GRANT)**  
**PM 442-24 - D.M.P., Cuba**

On May 12, 2024, the IACHR granted precautionary measures to D.M.P., political opponent, who has been subjected to beatings, threats and mistreatment, after being deprived of his liberty. It was indicated that he does not receive adequate medical attention for his deteriorating health condition.

The Commission, at the time of evaluating the decision, observed the current conditions of detention of D.M.P., and that the risk factors could be attributed to State agents. For this reason, D.M.P.'s situation of lack of protection is accentuated, not only by the fact that he is classified as a political opponent, but also by the actions taken by the agents responsible for his security to put him at risk. The Commission considered the allegations of collusion between the proposed beneficiary's aggressors and prison officials, in addition to the lack of adequate medical care, to be particularly serious. In addition, the IACHR recognized that the conditions of detention are likely to continue and worsen over time. At the same time, there is no information from the State that would be sufficient to assess whether the alleged situation has been duly mitigated or has disappeared. After analyzing the available information, the IACHR, in accordance with Article 25 of its Rules of Procedure, requested that Cuba.

- a. adopt the necessary measures to protect the rights to life, personal integrity, and health of D.M.P.;
- b. ensure that the beneficiary's detention conditions are compatible with the applicable international standards on the matter;
- c. consult and agree upon the measures to be adopted with the beneficiary and his representatives; and
- d. report on the actions undertaken to investigate the alleged events that led to this precautionary measure, so as to prevent them from reoccurring.

**Resolution No. 40/24 (GRANT)**  
**PM 379-24 - J.M.M.B., Cuba**

On June 28, 2024, the IACHR granted precautionary measures in favor of human rights defender J.M.M.B., deprived of his liberty and at risk due to acts of violence against him. Upon analyzing the information furnished by the applicant in the context of Cuba, the Commission considered that J.M.M.B. has been subjected to acts of violence and physical aggression, including an attempted rape. This situation, in the Commission's opinion, reflects the state of lack of protection in which the proposed beneficiary currently finds himself, and the lack of supervision on the part of the prison authorities. In addition, the Commission noted the difficulties that the proposed beneficiary's family members have in reporting the threatening situations and that this limitation aggravates his situation of vulnerability. The Commission requested that Cuba:

- a. adopt the necessary measures to protect the rights to life and personal integrity of J.M.M.B.;
- b. implement the necessary measures so that his detention conditions align with applicable international standards. In particular, ensuring that he is not subject to threats, intimidation, harassment or violence;
- c. consult and agree upon the measures to be adopted with the beneficiary and his representative; and

- d. report on the actions taken to investigate the alleged events that led to the adoption of this resolution, so as to prevent such events from reoccurring.

**Resolution No. 41/24****PM 529-24 - Fray Pascual Claro Valladares, Cuba**

On June 30, 2024, the IACHR decided to grant precautionary measures in favor of Fray Pascual Claro Valladares, who is reportedly deprived of his liberty in Cuba. Claro Valladares, detained since August 24, 2022, for participating in peaceful protests, has been transferred between several prisons and subjected to severe conditions of isolation, interrogation and mistreatment. In April 2024, after being sentenced to ten years for sedition, he attempted suicide and was punished with solitary confinement instead of receiving the necessary psychiatric care. Prison authorities have threatened to withdraw all his benefits if he and his mother continue to denounce the violations suffered. The IACHR highlighted his special vulnerability due to his classification as a “counterrevolutionary” and the lack of response from the Cuban State. Consequently, under the terms of Article 25 of its Rules of Procedure, the IACHR decided to grant the precautionary measures and requested that the State of Cuba:

- a. adopt the necessary measures to protect the rights to life, personal integrity, and health of Fray Pascual Claro Valladares;
- b. implement the necessary measures to ensure that his detention conditions are compatible with applicable international standards. In particular, ensure that he is not subject to threats, intimidation, harassment, or violence. Furthermore, that the appropriate medical diagnoses be carried out, that his medical treatment be determined, and that such treatment is effectively provided;
- c. consult and agree upon the measures to be adopted with the beneficiary and his representatives; and
- d. report on the actions taken to investigate the alleged facts that gave rise to the adoption of this resolution, so as to prevent them from reoccurring.

**Resolution No. 48/24 (FOLLOW-UP)****PM 602-24 - Joel Jardines Jardines, Cuba**

On August 13, 2024, the IACHR granted precautionary measures in favor of Joel Jardines Jardines, who is deprived of liberty in Aguacate, Cuba. It was indicated that he suffers from larynx carcinoma and since 2021 he should have undergone analyses to start a possible chemotherapy treatment. It was alleged that the beneficiary lacks a treatment plan for his ailments and suffered physical repression when he requested medical attention from the authorities. The State did not respond. The IACHR considered the seriousness of the lack of medical attention for a possibly malignant tumor, as well as the deterioration of his health or the eventual fatal consequences, as well as the allegations of repression in response to the beneficiary’s requests for medical attention. In accordance with Article 25 of the Rules of Procedure, the Commission requested that Cuba:

- a. adopt the necessary measures to protect the rights to life and personal integrity of Joel Jardines Jardines;
- b. take the necessary measures to ensure his detention conditions comply with applicable international standards. In particular, ensuring that the corresponding medical diagnoses are made, that sufficient and timely medical information is provided; and that his medical treatment is defined, with the prior consent of the proposed beneficiary;
- c. consult and agree upon the measures to be adopted with the beneficiary and his representatives; and

- d. report on the actions taken to investigate the alleged events that gave rise to this resolution, so as to prevent such events from reoccurring.

## EL SALVADOR

### Resolution No. 15/24 (LIFT)

#### PM 542-19 - Clave Enero and his family unit, El Salvador

The Inter-American Commission on Human Rights (IACHR) decided to lift the precautionary measures in favor of Clave Enero and his family unit in El Salvador. At the time of making the decision, the Commission assessed the measures adopted by the State and identified the lack of response by the representation since January 2021, despite repeated requests for information. Upon not identifying compliance with the requirements set forth in Article 25 of the Rules of Procedure, the IACHR decided to lift these precautionary measures.

## GUATEMALA

### Resolution No. 1/24 (GRANT)

#### PM 1088-23 - Irma Elizabeth Palencia Orellana, Guatemala

On January 13, 2024, the IACHR granted precautionary measures in favor of Irma Elizabeth Palencia Orellana after considering that she is in a serious and urgent situation presenting a risk of irreparable harm to her rights in Guatemala. According to the request, Ms. Palencia Orellana, in her capacity as a sitting justice of the Supreme Electoral Tribunal of Guatemala (TSE), is being followed, monitored, threatened, and subjected to other events placing her at risk in the exercise of her position, given the current context of the country. Therefore, based on Article 25 of its Rules of Procedure, the Commission requested that the State of Guatemala:

- a. adopt the necessary measures to guarantee the rights to life and personal integrity of Irma Elizabeth Palencia Orellana;
- b. take the necessary measures to ensure that Irma Elizabeth Palencia Orellana can continue to perform her duties as a sitting justice of the Supreme Electoral Tribunal of Guatemala without being subjected to threats, intimidation, harassment, or acts of violence;
- c. consult and agree upon the measures to be implemented with the beneficiary and her representatives; and
- d. report on the actions taken to investigate the alleged events that led to the adoption of this resolution, so as to prevent such events from reoccurring.

### Resolution No. 2/24 (GRANT)

#### PM 4-24 - Leyla Susana Lemus Arriaga, Guatemala

On January 13, 2024, the Inter-American Commission on Human Rights (IACHR) decided to grant precautionary measures in favor of the sitting Justice of the Constitutional Court, Leyla Susana Lemus Arriaga, after considering that she is in a serious and urgent situation presenting a risk of irreparable harm to her rights in Guatemala. The request for precautionary measures alleged that on December 11, 2023, the National Civil Police (PNC) patrol car located in front of the beneficiary's home was set on fire by third parties and that this incident was related to her work as a Justice. The Commission considered that the events of December 11, 2023, occurred when PNC agents were not providing protection to the proposed beneficiary, due to her reassignment by orders of the institution itself and despite the protection detail determined by the State itself. Similarly, the Commission considered that the change in the said security detail was carried out in an uncoordinated manner with the proposed beneficiary and that the State did not designate replacement agents to continue with its



proper implementation. Consequently, in accordance with the provisions of Article 25 of its Rules of Procedure, the Commission requested that the State of Guatemala:

- a. adopt the necessary measures to protect the rights to life and personal integrity of Leyla Susana Lemus Arriaga;
- b. adopt the necessary measures to ensure that the beneficiary can carry out her duties as a justice in safe conditions;
- c. consult and agree upon the measures to be adopted with the beneficiary and her representatives; and
- d. report on the actions taken to investigate the alleged facts that led to the adoption of this precautionary measure, so as to prevent them from reoccurring.

**Resolution No. 43/24 (GRANT)**

**PM 582-24 - Mirian Aída Reguero Sosa and her family unit, Guatemala**

On August 2, 2024, the Inter-American Commission on Human Rights (IACHR) granted precautionary measures in favor of Mirian Aída Reguero Sosa, prosecutor of the Public Prosecutor's Office of Guatemala, and her family, after considering that she is in a serious and urgent situation presenting a risk of irreparable harm to her rights in Guatemala. The requesting party alleged that the beneficiary has been subjected to two armed attacks against her life. In addition to severe bodily injury, the armed attacks resulted in the death of the beneficiary's then partner, in 2022, and her mother, in 2024. The State indicated that the information on the security detail provided to the beneficiary is classified as confidential; however, it added that this helps to reduce the risk scenarios to which she is exposed. The IACHR considered that the alleged risk has already materialized on two occasions, even with a security detail, which reflects that it was not effective in protecting her. It also noted that the situation of the beneficiary was known by the competent authorities, as well as that no relevant progress was reported in the investigations of the attacks. Consequently, pursuant to Article 25 of the Rules of Procedure, the IACHR requested that the State of Guatemala:

- a. adopt the necessary measures to protect the rights to life and personal integrity of the beneficiaries;
- b. ensure the necessary measures to guarantee that Mirian Aída Reguero Sosa can exercise her functions without being subject to threats, intimidation, harassment, or acts of violence;
- c. consult and agree upon the measures to be implemented with the beneficiaries and their representatives; and
- d. report on the actions taken to investigate the alleged facts that gave rise to this resolution, so as to prevent such events from reoccurring.

**Resolution No. 44/24 (GRANT)**

**PM 638-24 - Gustavo Yaxón Meletz and his family, Guatemala**

On August 2, 2024, the IACHR decided to grant precautionary measures in favor of human rights defender Gustavo Yaxón Meletz and his family. The request argued that Yaxón Meletz, leader of the Committee for Peasant Unity (CUC) and representative of the Community Development Council of El Tablón before the municipality of Sololá, was the victim of an armed attack on June 5, 2024, which left him seriously wounded and also caused the death of his father, Marcelo Yaxón Pablo, and the lawyer José Domingo Montejo. The alleged inadequacy of the protection measures in place was highlighted, underlining that the beneficiary was the only witness to the events, which also put his family at risk. The IACHR noted that the current protection detail might not be sufficient to guarantee adequate protection, and emphasized the need to carry out an updated risk study to adjust the protection measures and guarantee the safety of Gustavo Yaxón Meletz and his family.

Consequently, pursuant to Article 25 of its Rules of Procedure, the IACHR decided to grant the precautionary measures and requested that the State of Guatemala:

- a. adopt the necessary measures to protect the rights to life and integrity of Gustavo Yaxón Meletz and his family unit;
- b. implement the necessary measures so that Gustavo Yaxón Meletz can carry out his activities as a human rights defender without being subjected to threats, intimidation, harassment, or other acts of violence in the exercise of his work;
- c. consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and
- d. report on the actions taken to investigate the alleged facts that led to this precautionary measure, so as to prevent them from reoccurring.

**Resolution No. 85/24 (LIFT)**

**PM 457-03 - Mario Minera, Héctor Amílcar Mollinedo, and the other members of the Center for Legal Action on Human Rights (CALDH), Guatemala**

The Inter-American Commission on Human Rights (IACHR) decided to lift these precautionary measures in favor of Mario Minera, Héctor Amílcar Mollinedo, and the other members of the Center for Legal Action on Human Rights (CALDH, by its Spanish initialism), in Guatemala. Following the State's request to lift the said measures, the Commission assessed the protective actions taken in favor of the beneficiaries for the implementation of the precautionary measures. It has also considered the long period of time without facts that indicate an ongoing situation posing an imminent risk. Thus, given the nature of the precautionary measures and upon not identifying compliance with the procedural requirements, the IACHR has decided to lift these precautionary measures.

**Resolution No. 96/24 (LIFT)**

**PM 185-07 - Norma Cruz Córdova and Alan Maldonado Ordóñez, Guatemala**

The Inter-American Commission on Human Rights (IACHR) decided to lift the precautionary measures in favor of Norma Cruz Córdova and Alan Maldonado Ordóñez, in Guatemala. Following the State's request to lift the measures, the Commission assessed the protective actions taken in favor of the beneficiaries for the implementation of the precautionary measures, as well as the extended period without relevant information from the representation to continue assessing whether these precautionary measures should remain in force. Consequently, upon not identifying compliance with the procedural requirements at present, the IACHR has decided to lift these precautionary measures.

**HAITI**

**Resolution No. 35/24 (LIFT)**

**PM 181-07 - Lovinsky Pierre-Antoine, Haiti**

The Inter-American Commission on Human Rights (IACHR) decided to lift these precautionary measures in favor of Lovinsky Pierre-Antoine regarding Haiti. At the time of making this decision, the Commission noted that 16 years have passed since the precautionary measures were granted, and there has been no updated information on the beneficiary's situation for more than 11 years. Therefore, the Commission considered that it did not have elements to continue to consider that the requirements of Article 25 of its Rules of Procedure have been met and, consequently, it decided to lift these precautionary measures.

**Resolution No. 42/24 (LIFT)**  
**PM 161-14 - Pierre Espérance and another person, Haiti**

The Inter-American Commission on Human Rights (IACHR) decided to lift these precautionary measures in favor of Pierre Espérance and an identified member of the National Human Rights Defense Network (RNDDH) regarding Haiti. At the time of reaching the decision, the Commission observed that, in the approximately 10 years that these precautionary measures have been in force, the representation has not submitted a written response to any of the requests for information issued by the Commission. The State has not sent a response either. Consequently, the Commission considered that there was no information to continue to determine that the requirements of Article 25 of its Rules of Procedure have been met. Therefore, it considered it appropriate to lift these precautionary measures.

**Resolution No. 60/24 (LIFT)**  
**PM 271-06 - Marc-Arthur Mésidort and members of his family unit, Haiti**

The Inter-American Commission on Human Rights (IACHR) decided to lift these precautionary measures in favor of Marc-Arthur Mésidort regarding Haiti. When making its decision, the Commission observed that the representation has not replied to the IACHR in the last 11 years. According to the last information sent in 2013, the representation reported that the beneficiary and his family were living abroad. The Commission notes with concern that the State has not provided a written response to the requests for information. Given the lack of information needed to meet procedural requirements, the IACHR has decided to lift these measures.

**Resolution No. 102/24 (LIFT)**  
**PM 144-08 - Persons detained at the Toussaint Louverture Police Station in Gonaïves, Haiti**

The Inter-American Commission on Human Rights (IACHR) decided to lift these precautionary measures in favor of the people detained at the Toussaint Louverture Police Station in Gonaïves regarding Haiti. At the time of making the decision, the Commission noted that, during the nearly 16 years the precautionary measures have been in force, the State has not responded to the Commission. Moreover, the representation submitted information only up until 2013, and 11 years have therefore elapsed without any further communications from the State. In view of the lack of information that would allow the requirements of Article 25 of its Rules of Procedure to continue to be considered met, the Commission decided to lift these precautionary measures.

**HONDURAS****Resolution No. 4/24 (LIFT)**  
**PM 14-18 - Ericka Yamileth Varela Pavón and her family, Honduras**

The Inter-American Commission on Human Rights (IACHR) decided to lift the precautionary measures in favor of Ericka Yamileth Varela Pavón and her family in Honduras. At the time of making the decision, the Commission identifies the lack of response from the beneficiaries' representation since August 2021, despite the requests for information made. Similarly, the beneficiary and two of her children have been outside Honduras since July 2018. Upon not identifying compliance with the requirements set forth in Article 25 of the Rules of Procedure, the IACHR decided to lift these precautionary measures.

**Resolution No. 16/24 (LIFT)**  
**PM 281-10 - Oscar Siri Zúñiga and family, Honduras**

The Inter-American Commission on Human Rights (IACHR) decided to lift the present precautionary measures in favor of Oscar Siri Zúñiga and his family in Honduras. At the time of making the decision, the Commission assessed the measures adopted internally by the State, as well as the lack of information on risk events against the beneficiaries since 2017. In that regard, taking into account the nature of the precautionary measures and in light of the information available, the Commission considered that it is not possible to identify a situation of

risk under the terms of Article 25 of the Rules of Procedure at this time. Upon not identifying compliance with the procedural requirements, the IACHR has decided to lift these precautionary measures.

**Resolution No. 56/24 (GRANT)****PM 511-24 - Rodsman Saadik Molina Ortezt, Honduras**

On August 26, 2024, the IACHR granted precautionary measures in favor of Rodsman Saadik Molina Ortezt, after considering that he is at serious and urgent risk of irreparable harm to his rights in Honduras. The proposed beneficiary is president of the Union of Workers of the Honduran Civil Aeronautics Agency (Sindicato de Trabajadores de la Agencia Hondureña de Aeronáutica Civil, SITRAAHAC). He is reportedly at risk due to threats and acts of violence by third parties allegedly in response to his union activities. Despite having a security detail in his favor, the request alleged implementation failures which were not adequately addressed by the State. In addition, the request mentioned the persistence of the situations which placed him at risk, which included his family members. For its part, the State confirmed the granted security detail and stated that it is coordinating with the relevant authorities on the status of the investigations.

Upon analyzing the submissions of fact and law, the IACHR considered the role of union leader that the proposed beneficiary fulfills, the ongoing situations that have been placing the proposed beneficiary at risk over time, the lack of investigation into these situations, and the absence of adjustments or new risk assessments to accurately outline the protection measures needed. In light of the current context in Honduras, and under the terms of Article 25 of its Rules of Procedure, the Commission requested that Honduras:

- a. adopt the necessary measures to protect the rights to life and personal integrity of the beneficiary and his family unit;
- b. implement the necessary measures to ensure that the beneficiary can exercise his functions as president of the Union of Workers of the Honduran Civil Aeronautics Agency (SITRAAHAC), without being subjected to threats, intimidation, harassment, or acts of violence;
- c. consult and agree upon the measures to be implemented with the beneficiaries and his representatives; and
- d. report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 73/24 (LIFT)****PM 69-09 - Inés Yadira Cubero González, Honduras**

The Inter-American Commission on Human Rights (IACHR) decided to lift the precautionary measures in favor of Inés Yadira Cubero González, regarding Honduras. Following the State's request to lift the measures, the Commission reviewed the actions taken to implement the precautionary measures and considered the extended period without sufficient evidence of the beneficiary facing an ongoing imminent risk. In this regard, in light of the nature of the precautionary measures and the information available in this matter, the IACHR has decided to lift these precautionary measures pursuant to the provisions of Article 25 of its Rules of Procedure.

**Resolution No. 81/24 (LIFT)****PM 589-15 - Ana Mirian Romero *et al.*, Honduras**

The Inter-American Commission on Human Rights (IACHR) decided to lift the precautionary measures in favor of Ana Mirian Romero, the family units of Rosalio Vásquez Pineda and Ana Mirian Romero, and 13 other identified people, in Honduras. At the time of making the decision, the Commission assessed the actions taken by the State and the information presented by the parties. Upon not identifying compliance with the

requirements set forth in Article 25 of its Rules of Procedure, the IACHR has decided to lift these precautionary measures.

## **MEXICO**

### **Resolution No. 9/24 (LIFT)**

#### **PM 519-17 - Eduardo Valencia Castellanos, Mexico**

The Inter-American Commission on Human Rights (IACHR) decided to lift these precautionary measures in favor of Eduardo Valencia Castellanos. At the time of making the decision, the Commission assessed the measures that the State adopted internally, as well as the change in circumstances and lack of situations that put the beneficiary at risk, at this time. Taking into account the nature of the precautionary measures and in light of the information available, the Commission considered that it is not possible to identify a situation of risk under the terms of Article 25 of the Rules of Procedure at this time. Upon not identifying compliance with the procedural requirements, the IACHR has decided to lift these precautionary measures.

### **Resolution No. 11/24 (GRANT)**

#### **PM 674-21 - J. Santos Rosales Contreras and twelve other members of the Nahua indigenous community of Ayotitlán, Mexico**

On March 8, 2024, the IACHR granted precautionary measures in favor of J. de Jesus Santos Rosales and twelve other members of the Nahua indigenous community of Ayotitlán, who are said to actively participate in actions against mining exploitation in their territory. For this reason, the beneficiaries are reportedly facing continuous threats, intimidation, surveillance, monitoring and other acts of violence by organized crime groups, among other actors. For its part, the State indicated that it is in the best disposition to attend the necessary working meetings to reach satisfactory agreements for the indigenous community of Ayotitlán. In addition, the State indicated that it is willing to establish a coordinated work plan between federal and state authorities to address the problem, especially in light of the allegations of the presence of organized crime groups. The State also reported on the incorporation of some of the beneficiaries into the Mechanism for the Protection of Human Rights Defenders and Journalists and the protection measures available to them. Although the Commission valued positively the various actions of the State to address the problem and provide security to the beneficiaries and other members of the Nahua community of Ayotitlán, it also considered that the implementation of the protection measures has not prevented the continuation of threatening events, following the murder of one of the leaders of the community in November 2023. In addition, the beneficiaries have continued to be subject to death threats, threats of disappearance, surveillance at their homes, extortion calls, among others. The aforementioned events have also extended to members of their families.

In accordance with Article 25 of its Rules of Procedure, the Commission requested that Mexico:

- a. adopt the necessary and culturally appropriate measures to guarantee the life and personal integrity of the duly identified beneficiaries;
- b. consult and agree upon the measures to be implemented with the beneficiaries and their representatives; and
- c. report on the actions taken to investigate the alleged events that led to the adoption of this resolution, so as to prevent such events from reoccurring.

### **Resolution No. 14/24 (LIFT)**

#### **PM 277-13 - Members of the Otomí-Mexica Indigenous Community of San Francisco Xochicuautila, Mexico**

The Inter-American Commission on Human Rights (IACHR) decided to lift these precautionary measures in favor of Members of the Otomí-Mexica Indigenous Community of San Francisco Xochicuautila, in Mexico. At the

time of making its decision, the Commission assessed the actions taken by the State during implementation, as well as the lack of information from the representation despite requests issued by the IACHR. Upon not identifying compliance with the procedural requirements, the IACHR has decided to lift these measures.

**Resolution No. 25/24 (LIFTED)****PM 264-10 - Gerardo Vera Orcino, Javier Martínez Robles and Francisco de Asís Manuel, Mexico**

The Inter-American Commission on Human Rights (IACHR) decided to lift these precautionary measures in favor of Gerardo Vera Orcino, Javier Martínez Robles and Francisco de Asís Manuel, in Mexico. At the time of making the decision, the Commission assessed the actions taken by the State during the implementation, as well as the lack of information from the representation since 2017. Upon not identifying compliance with the procedural requirements, the IACHR has decided to lift these measures.

**Resolution No. 98/24 (LIFTED)****PM 1165-18 - Sergio López Cantera, Mexico**

The Inter-American Commission on Human Rights (IACHR) decided to lift these precautionary measures in favor of Sergio López Cantera, in Mexico. At the time of making the decision, the Commission assessed the actions taken by the State regarding implementation, as well as the lack of information from the representation during the time they were in force. Thus, in light of the nature of the precautionary measures, and upon not identifying compliance with the procedural requirements, the IACHR has decided to lift these precautionary measures.

**Resolution No. 103/24 (LIFTED)****PM 1375-18 - Daniel Ramírez Contreras and his family, Mexico**

The Inter-American Commission on Human Rights (IACHR) decided to lift these precautionary measures in favor of Daniel Ramírez Contreras and his family unit, in Mexico. At the time of making the decision, the Commission assessed the actions taken by the State during their implementation, as well as the lack of information from the representation during the time these measures were in force. Thus, in light of the nature of precautionary measures, and upon not identifying compliance with the procedural requirements, the IACHR has decided to lift these precautionary measures.

**Resolution No. 104/24 (LIFTED)****PM 603-22 - Girl K. L. R., Mexico**

The Inter-American Commission on Human Rights (IACHR) decided to lift these precautionary measures in favor of the child K.L.R., in Mexico. At the time of making the decision, the Commission evaluated the actions taken by the State during the time the measures were in force and found a change of factual circumstances. Taking into account the nature of the precautionary measures and in light of the information available, the Commission believes it is not possible to establish a situation of risk under the terms of Article 25 of the Rules of Procedure at this time. Upon currently not identifying compliance with the procedural requirements, the IACHR has decided to lift these measures.

**NICARAGUA****Resolution No. 7/24 (GRANTED)****PM 95-24 - Eddy Antonio Castillo Muñoz, Nelly Griselda López García, and Juan Carlos Baquedano, Nicaragua**

On March 1, 2024, the IACHR granted precautionary measures in favor of Eddy Antonio Castillo Muñoz, Nelly Griselda López García, and Juan Carlos Baquedano, who are identified or perceived as political opponents of the current Nicaraguan government, after considering that they are in a serious and urgent situation presenting a risk of irreparable harm to their rights in Nicaragua. The request for precautionary measures alleged that the



beneficiaries are deprived of their liberty in different prisons and despite suffering from a series of health problems, they do not have access to the necessary medical attention or medicines. In addition, they are reportedly being held in inadequate conditions of detention and are being subjected to aggression by prison officials. The Commission also found that the State did not provide any information regarding the measures adopted to mitigate the risk faced by the beneficiaries. In accordance with Article 25 of the Rules of Procedure, the Commission requested that Nicaragua:

- a. adopt the necessary measures to protect the rights to life, personal integrity, and health of Eddy Antonio Castillo Muñoz, Nelly Griselda López García, and Juan Carlos Baquedano;
- b. adopt the necessary measures to ensure that the beneficiaries' detention conditions are compatible with the applicable international standards on the matter, including: i. guarantee that they are not subjected to threats, intimidation, harassment, or aggression inside the prison; ii. guarantee access to adequate and specialized medical care, and immediately carry out a specialized medical evaluation of their health; iii. provide the necessary treatments and medications to treat their health issues; iv. guarantee regular contact and access to their family and legal representatives, and v. evaluate the possibility of granting alternative measures to imprisonment given the impossibility of protecting their rights in light of the current detention conditions;
- c. consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and
- d. report on the actions taken in order to investigate the alleged events that led to the adoption of this resolution, so as to prevent such events from reoccurring.

**Resolution No. 10/24 (GRANT)**

**PM 274-24 - Carlos Alberto Bojorge Martínez, Nicaragua**

On March 6, 2024, the IACHR granted precautionary measures in favor of Carlos Alberto Bojorge Martínez, after considering that he is in a serious and urgent situation presenting a risk of irreparable harm to his rights in Nicaragua. The request for precautionary measures alleged that Mr. Carlos Alberto Bojorge Martínez, who is a university student and poet, has been missing since January 1, 2024, after being arrested by police officers. It is alleged that on the day of his arrest, he attended a mass at the Metropolitan Cathedral in Managua, wearing a shirt of the Virgin Mary, a small Nicaraguan flag and a picture of Monsignor Arnulfo Romero in reference to the state persecution against the Catholic Church in the country. In the evening hours, he was detained by police officers who took him to an unknown destination, presumably without an arrest warrant and without the reasons for his detention being known. The Commission also found that the State did not provide any information on the measures adopted to mitigate the beneficiary's risk situation, or on the actions taken to determine the beneficiary's whereabouts or fate. In accordance with Article 25 of the Rules of Procedure, the Commission requested that Nicaragua:

- a. adopt the necessary measures to determine the situation and whereabouts of Mr. Carlos Alberto Bojorge Martinez, in order to protect his rights to life and personal integrity;
- b. report on the conditions of detention in which he is currently being held. In particular, the Commission also requests that Nicaragua report on the place of his detention, allowing access to his legal representatives and family members, as well as the necessary health care; and
- c. report on the actions taken to investigate the alleged facts that gave rise to the adoption of this resolution, so as to prevent them from reoccurring.

**Resolution No. 23/24 (GRANT)****PM 384-24 - Walner Omier Blandón Ochoa and ten other persons of the “Puerta de la Montaña” ministry, Nicaragua**

On April 21, 2024, the IACHR granted precautionary measures in favor of Walner Omier Blandón Ochoa and ten other persons from the “Puerta de la Montaña” ministry, who are members of the evangelical church “Puerta de la Montaña,” after considering that they are in a serious and urgent situation presenting a risk of irreparable harm to their rights in Nicaragua. The request for precautionary measures alleged that the beneficiaries are deprived of their liberty in “La Modelo” prison and in the Women’s Comprehensive Correctional Facility and despite suffering from a series of health problems, they do not have access to the necessary medical attention or to the required medicines. In the case of Ms. Marisela de Fátima Mejía Ruiz, she is not receiving post-natal health care and adequate food, after having given birth prior to her detention. In addition, the proposed beneficiaries are said to be in inadequate conditions of detention. The Commission also found that the State did not provide any information regarding the measures adopted to mitigate the alleged risk. In accordance with Article 25 of the Rules of Procedure, the Commission requested that Nicaragua:

- a. adopt the necessary measures to protect the rights to life, personal integrity, and health of the beneficiaries. In particular, officially report on their current situation while in State custody;
- b. adopt the necessary measures to ensure that the beneficiaries’ detention conditions are compatible with the applicable international standards on the matter, among them: i. guarantee access to adequate and specialized medical attention, and immediately carry out a specialized medical assessment on their health; ii. ensure access to the necessary treatments and medications to treat their health issues, with the corresponding gender perspective; iii. guarantee regular contact and access to their families and lawyers; and iv. evaluate the possibility of granting alternative measures to the deprivation of liberty given the impossibility of protecting their rights in light of the current detention conditions. iv. evaluate the possibility of granting alternative measures to the deprivation of liberty given the impossibility of protecting her rights in light of the current detention conditions;
- c. consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and
- d. report on the actions taken to investigate the alleged facts that gave rise to the adoption of this resolution, so as to prevent such events from reoccurring.

**Resolution No. 37/24 (GRANT)****PM 509-24 - Walner Antonio Ruiz Rivera, Nicaragua**

On June 3, 2024, the IACHR granted precautionary measures in favor of Walner Antonio Ruiz Rivera, after considering that he is in a serious and urgent situation posing a risk of irreparable harm to his rights in Nicaragua. It was alleged that the beneficiary is deprived of his liberty in “La Modelo” prison and despite suffering from a series of health problems, he does not have access to the necessary medical attention or the required medicines. In addition, he is being held in inadequate conditions of detention and is being subjected to acts of violence by prison officers. The Commission also found that the State did not provide any information regarding the measures adopted to mitigate the alleged risk. In accordance with Article 25 of the Rules of Procedure, the Commission requested that Nicaragua:

- a. implement the necessary measures to protect the rights to life, personal integrity, and health of Mr. Walner Antonio Ruiz Rivera. In particular, officially report on his current situation while he is in the custody of the State;
- b. adopt the necessary measures to ensure that the beneficiary’s detention conditions are compatible with the applicable international standards on the matter, including: i. guaranteeing that he is not subjected to violence, threats, intimidation, and aggression; ii. taking the appropriate measures in

response to the allegations of torture presented in the request; iii. guaranteeing access to adequate and specialized medical care, and that a specialized medical assessment of his health situation is carried out immediately; iv. ensuring access to the necessary treatments and medications to treat his medical issues; and v. evaluating the possibility of granting alternative measures to the deprivation of liberty, given the impossibility of protecting his rights in light of the impossibility of protecting his rights in the light of his medical conditions;

- c. consult and agree upon the measures to be implemented with the beneficiary and its representatives; and
- d. report on the actions taken to investigate the alleged facts that gave rise to this resolution so as to prevent such events from reoccurring, particularly regarding the allegations of torture raised by the applicants.

**Resolution No. 39/24 (GRANT)****PM 553-24 - Nine persons deprived of their liberty, Nicaragua**

On June 17, 2024, the IACHR granted precautionary measures in favor of nine persons deprived of liberty, whose rights to life, personal integrity and health are being violated, detained in unhealthy conditions, suffering physical and psychological abuse by prison officials, without access to adequate medical care, resulting in significant risks and irreparable harm. For its part, the State, although informed, has not submitted a response. The Commission, after evaluating the allegations, joint to the context of systematic repression in the country and the lack of response from the State, understands, *prima facie*, that the requirements of seriousness, urgency, and irreparable harm are present. In accordance with Article 25 of the Rules of Procedure, the Commission requested that Nicaragua:

- a. adopt the necessary measures to protect the rights to life, personal integrity, and health of the beneficiaries. In particular, officially report on their current situation while they are in the custody of the State;
- b. take the necessary measures to ensure that the beneficiaries' detention conditions are compatible with applicable international standards on the matter, including: i. guarantee that they are not subjected to violence, threats, intimidation, and acts of aggression within the prison; ii. take appropriate measures in response to the allegations of torture presented in the request; iii. guarantee access to adequate and specialized medical care, treatment, and medication, and immediately carry out a comprehensive medical assessment of the beneficiaries' health; iv. grant immediate access to adequate food and water; and v. evaluate the possibility of granting alternative measures to deprivation of liberty, given the impossibility of protecting their rights in light of the current detention conditions;
- c. consult and agree upon on the measures to be implemented with the beneficiaries and their representatives; and
- d. report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring, particularly with regard to the allegations of torture presented by the applicants.

**Resolution No. 45/24 (GRANT)****PM 697-24, 730-24, 736-24 - Three persons deprived of their liberty, Nicaragua**

On August 2, 2024, the IACHR granted precautionary measures in favor of Douglas Acevedo Castillo, Anner Herrera, and Geovanny Jaret Guido Morales, deprived of liberty in Nicaragua, after considering that they are in a serious and urgent situation presenting a risk of irreparable harm to their rights in Nicaragua. It was alleged that the beneficiaries are being held in "La Modelo" prison, in inadequate conditions of detention and without receiving the necessary medical attention for their ailments. They also face acts of violence such as beatings,

mistreatment and intimidation by prison officers. They are also legally vulnerable due to the lack of access to judicial files and the absence of an effective legal defense. For its part, the State did not provide information that would make it possible to determine that the risk factors identified had been duly mitigated. In accordance with Article 25 of the Rules of Procedure, the Commission requested that Nicaragua:

- a. adopt the necessary measures to protect the rights to life, personal integrity, and health of the beneficiaries. In particular, officially report on their current situation while they are in the custody of the State;
- b. implement the necessary measures to ensure that the beneficiaries' detention conditions are compatible with applicable international standards on the matter, including: i. guarantee that they are not subjected to violence, threats, intimidation, aggression, and torture inside the prison; ii. guarantee access to adequate and specialized medical care and to the necessary treatments and medicines, and immediately carry out a comprehensive medical assessment of their health; and iii. evaluate the possibility of granting alternative measures to deprivation of liberty, given the impossibility of protecting their rights in light of the current detention conditions;
- c. consult and agree upon the measures to be implemented with the beneficiaries and their representatives; and
- d. report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring, particularly with regard to the allegations of torture presented by the applicants.

**Resolution No. 52/24 (GRANT)**

**PM 611-24; 726-24 - Three persons deprived of their liberty, Nicaragua**

On August 17, 2024, the IACHR granted precautionary measures in favor of Frank Kevin Laguna Guevara, Óscar Danilo Parrilla Blandón, and Evelyn Susana Guillén Zepeda, persons deprived of their liberty in Nicaragua, after considering that they are in a serious and urgent situation presenting a risk of irreparable harm to their rights in Nicaragua. It was alleged that the beneficiaries are being held in the National Penitentiary System "Jorge Navarro" and in the Integral Penal Establishment for Women (EPIM), in poor conditions of detention and without receiving the necessary medical attention for their ailments. In the case of Ms. Evelyn Susana Guillén Zepeda, she suffers from a mental illness after being a victim of sexual violence. Likewise, they face acts of violence such as beatings, mistreatment and intimidation by prison officials. They are also legally vulnerable due to the lack of access to judicial files and the absence of an effective legal defense. For its part, the State did not provide information that would make it possible to determine that the risk factors identified had been duly mitigated. In accordance with Article 25 of the Rules of Procedure, the Commission requested that Nicaragua:

- a. adopt the necessary measures to protect the rights to life, personal integrity, and health of the beneficiaries. In particular, officially report on their current situation while they are in the custody of the State;
- b. implement the necessary measures to ensure that the beneficiaries' detention conditions are compatible with applicable international standards on the matter, including: i. guarantee that they are not subjected to violence, threats, intimidation, and aggression inside the prison; ii. guarantee access to adequate and specialized medical care and to the necessary treatments and medicines, and immediately carry out a comprehensive medical assessment of their health; and iii. evaluate the possibility of granting alternative measures to deprivation of liberty, given the impossibility of protecting their rights in light of the current detention conditions;
- c. consult and agree upon the measures to be implemented with the beneficiaries and their representatives; and

- d. report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 68/24 (GRANT)****PM 919-24 - Eddie Moisés González Valdivia, Nicaragua**

On September 30, 2024, the Inter-American Commission on Human Rights (IACHR) granted precautionary measures in favor of Eddie Moisés González Valdivia, upon considering that he is in a serious and urgent situation, given that his rights are at risk of irreparable harm. It was alleged that Eddie Moisés González Valdivia is a retired major of the Nicaraguan Army, university professor, and business consultant in the city of Estelí. He also identifies as a dissident of the ruling party and a critic of the current regime, and is detained in the Jorge Navarro "La Modelo" Penitentiary Center, incommunicado, with no information available about his health and current detention situation. Similarly, the beneficiary is reportedly legally vulnerable due to lack of access to the judicial file and the absence of effective legal defense. The State, for its part, did not provide information that would allow for the determination that the identified risk factors have been adequately mitigated. Pursuant to the provisions of Article 25 of its Rules of Procedure, the Commission requested that Nicaragua:

- a. adopt the necessary measures to protect the rights to life, personal integrity, and health of Eddie Moisés González Valdivia;
- b. implement the necessary measures to ensure that the beneficiary's detention conditions are compatible with applicable international standards on the matter, including: i. guarantee regular contact and access to his family members, attorneys, and representatives; ii. officially inform them of the beneficiary's legal situation in the framework of the criminal process in which he is allegedly involved; iii. immediately carry out a comprehensive medical assessment of his health and guarantee access to adequate medical care; and iv. evaluate the possibility of granting alternative measures to deprivation of liberty, given the impossibility of protecting his rights in light of the current detention conditions;
- c. consult and agree upon the measures to be implemented with the beneficiary and their representatives; and
- d. report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 75/24 (GRANT)****PM 1134-24 - Gersom Antonio Zeledón Motta and three other persons, Nicaragua**

On October 24, 2024, the IACHR granted precautionary measures in favor of Gersom Antonio Zeledón Motta, Eveling Carolina Matus Hernández, Lesbia del Socorro Gutiérrez Poveda, and Carmen María Sáenz Martínez, after considering that they are in a serious and urgent situation presenting a risk of irreparable harm to their rights in Nicaragua. It was alleged that the beneficiaries' whereabouts were unknown as of their respective detentions between March and August 2024. It is alleged that the arrests were carried out by police officers through raids and/or searches of the respective homes, without indicating the reasons for their arrest. People close to the beneficiaries went to the various prisons to locate them and learn about their situation. The State authorities have not provided official information on the current whereabouts of these individuals, nor on their current status. The Commission also found that the State did not provide any information on the measures adopted to mitigate the risk faced by the beneficiaries, or on the actions taken to determine their whereabouts. In accordance with Article 25 of the Rules of Procedure, the Commission requested that Nicaragua:

- a. adopt the necessary measures to determine the situation and whereabouts of the beneficiaries, in order to protect their rights to life and personal integrity;

- b. inform whether the beneficiaries are in the custody of the State, the circumstances and conditions of their detention. In particular, report on the place of their detention, allowing access to their legal representatives and family members, as well as the necessary health care, and ensure that they are brought before judicial authorities to review and monitor any continued detention; and
- c. report on the actions taken to investigate the alleged facts that gave rise to the adoption of this resolution, so as to prevent such events from reoccurring.

**Resolution No. 77/24 (GRANT)****PM 1133-24 - Steadman Fagot Muller, Nicaragua**

On October 28, 2024, the Inter-American Commission on Human Rights (IACHR) granted precautionary measures in favor of Steadman Fagot Muller, after considering that he is in a serious and urgent situation presenting a risk of irreparable harm to his rights in Nicaragua. The applicant indicated that the beneficiary held a public position from which he opposed the government's policies on indigenous peoples. It was alleged that, in reprisal for this, the Army arrested the beneficiary on September 14, 2024. Since then, his whereabouts, legal situation, and conditions of detention are unknown. The State did not provide information on the matter. The IACHR assessed the human rights crisis situation in Nicaragua and the lack of knowledge of the beneficiary's whereabouts, the judicial investigation that led to his capture, and his current situation. Consequently, in terms of Article 25 of the Rules of Procedure, it requested that the State of Nicaragua:

- a. adopt the necessary measures to determine the situation and whereabouts of the beneficiary, in order to protect his rights to life and personal integrity;
- b. inform whether the beneficiary is in the custody of the State, the circumstances and conditions of his detention. In particular, report on the place of his detention, allowing access to his legal representatives and family members, as well as the necessary health care, and ensure that he is brought before judicial authorities to review and monitor any continued detention;
- c. ensure the corresponding measures to guarantee that the beneficiary can continue to carry out his activities in defense of the rights of indigenous peoples without being subjected to threats, harassment, or acts of violence in the exercise of these activities; and
- d. report on the actions taken to investigate the alleged facts that gave rise to the adoption of this resolution, so as to prevent such events from reoccurring.

**Resolution No. 91/24 (GRANT)****PM 1214-24 - Jhon Fernando Paladines Rubio, Nicaragua**

On November 26, 2024, the IACHR granted precautionary measures in favor of Jhon Fernando Paladines Rubio, after considering that he is in a serious and urgent situation, given that his rights to life and personal integrity face a risk of irreparable harm in Nicaragua. According to the request, the beneficiary is a businessman in Costa Rica and was traveling in Nicaragua on business. He was reportedly detained on March 9, 2024, by the Judicial Assistance Directorate of the Nicaraguan National Police at the hotel where he was staying in Managua. Since that date, his location has not been known. After several internal actions, the situation remains unchanged to date. The State of Nicaragua has not responded.

Therefore, the IACHR requested that Nicaragua:

- a. adopt the necessary measures to determine the situation and whereabouts of the beneficiary, in order to protect his rights to life and personal integrity;



- b. inform whether the beneficiary is in the custody of the State, the circumstances and conditions of his detention. In particular, report on the place of his detention and the criminal case file opened against him, allowing access to his legal representatives and family members, as well as the corresponding consular assistance, and ensure that he is brought before competent judicial authorities for the review and monitoring of his situation;
- c. consult and agree upon the measures to be implemented with the beneficiary, his family members, and his representatives; and
- d. report on the actions taken to investigate the alleged facts that gave rise to the adoption of this resolution, so as to prevent such events from reoccurring.

**Resolution No. 93/24 (GRANT)****PM 1249-24 - Víctor Boitano Coleman, Nicaragua**

On December 4, 2024, the IACHR granted precautionary measures in favor of Víctor Boitano Coleman, after considering that he is in a serious and urgent situation presenting a risk of irreparable harm to his rights in Nicaragua. It was alleged that the beneficiary's whereabouts are unknown since he was detained on April 23, 2024, by armed plainclothes agents and police officers, without a warrant. The Commission also considered that the State did not provide information on the actions taken to determine his whereabouts. In accordance with Article 25 of the Rules of Procedure, the Commission requested that Nicaragua:

- a. adopt the necessary measures to determine the situation and whereabouts of the beneficiary, in order to protect his rights to life and personal integrity;
- b. inform whether the beneficiary is in the custody of the State, and the circumstances and conditions of his detention. In particular, report on the place of his detention, allowing access to his legal representatives and family members, as well as the necessary health care, and ensure that he is brought before judicial authorities to review and monitor any continued detention; and
- c. report on the actions taken to investigate the alleged facts that gave rise to the adoption of this resolution, so as to prevent such events from reoccurring.

**Resolution No. 100/24 (GRANT)****PM 1245-24 - Carlos Alberto Vanegas Gómez and Efrén Antonio Vílchez López, Nicaragua**

On December 16, 2024, the IACHR granted precautionary measures in favor of Carlos Alberto Vanegas Gómez and Efrén Antonio Vílchez López, upon considering that they are in a serious and urgent situation given that their rights to life and personal integrity face a risk of irreparable harm in Nicaragua. It was alleged that the beneficiaries are deprived of their liberty in unsanitary and inhumane conditions. They are allegedly not receiving the medical care they require for their health issues. Allegations of possible torture were presented. The State did not submit information to the IACHR. Therefore, under the terms of Article 25 of its Rules of Procedure, the Commission request that the State of Nicaragua:

- a. adopt the necessary measures to protect the rights to life, personal integrity, and health of the beneficiaries;
- b. implement the necessary measures to ensure that the beneficiaries' detention conditions are compatible with the applicable international standards on the matter, including:
  - i. guarantee that they are not subjected to violence, threats, intimidation, and aggression inside the prison;

- ii. take the measures that are relevant in response to the allegations of torture presented in the request
- iii. guarantee access to adequate and specialized medical care and to the necessary treatments and medicines, and immediately carry out a comprehensive medical assessment of their health;
- iv. provide immediate access to adequate food and water; and
- v. evaluate the possibility of granting alternative measures to deprivation of liberty, given the impossibility of protecting their rights in light of the current detention conditions;
- c. consult and agree upon the measures to be implemented with the beneficiaries and their representatives; and
- d. report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

## PERU

### Resolution No. 8/24 (LIFT)

#### PM 81-18 - Náthaly Sara Salazar Ayala, Peru

The Inter-American Commission on Human Rights (IACHR) decided to lift these precautionary measures in favor of Náthaly Sara Salazar Ayala in Peru. When making the decision, the Commission assessed the measures adopted domestically by the State and the lack of response by the beneficiary's representation during the time the precautionary measures were in force. In this regard, it considered the passage of time and the stage of the investigations to clarify the facts that led to the disappearance of the beneficiary. It also took into account the existence of allegations that exceeded the mechanism of precautionary measures after the elapsed time. Upon not identifying compliance with the procedural requirements, the IACHR has decided to lift these precautionary measures.

### Resolution No. 13/24 (GRANT)

#### PM 1109-23 - Selected families of the native Kichwa community Santa Rosillo de Yanayacu, Peru

On March 25, 2024, the IACHR decided to grant precautionary measures in favor of certain families of the native Kichwa community Santa Rosillo de Yanayacu, located in the district of Huimbayoc, Province and Region of San Martín. According to the request, the leader of the community was murdered in November 2023 and the beneficiaries are at risk due to their work in defense of their collective rights. The IACHR highlighted the imminence of the risk, underlining the recent materialization of the murder of the community leader and the continuity of the threatening events. Consequently, under the terms of Article 25 of its Rules of Procedure, the IACHR decided to grant the precautionary measure and requested that the State of Peru:

- a. adopt the necessary and culturally appropriate measures to safeguard the life and personal integrity of the beneficiaries. Among other things, it is requested to adopt the essential measures to ensure that the beneficiaries who are displaced in the city of Tarapoto can return safely to their community;
- b. consult and agree upon the measures to be implemented with the beneficiaries and/or their representatives; and
- c. report on the actions taken to investigate the alleged events that gave rise to these precautionary measures, so as to prevent such events from reoccurring.

**Resolution No. 20/24 (FOLLOW-UP)****PM 887-19 - Families of the Nueva Austria del Sira Community, Peru**

The Inter-American Commission on Human Rights (IACHR) decided to issue the present Resolution on Follow-up of precautionary measures in accordance with the terms of Article 25 of its Rules of Procedure. The Commission evaluated the actions taken by the State in favor of the beneficiaries and considered that a situation of risk persists, as well as making assessments regarding the scope of the measures. Consequently, in accordance with Article 25 of the IACHR Rules of Procedure, the Commission decided as follows:

- a. to continue to monitor the precautionary measures granted in favor of the families of the Nueva Austria del Sira Community in the terms of Resolution 57/2019;
- b. to request the State to reinforce the protection measures adopted and send the requested information, in the terms of this resolution;
- c. to request the representation to provide updated information on the risk situation of the families of the Nueva Austria del Sira Community in the terms of this resolution;
- d. to require that both parties continue carrying out the relevant concerted actions, in order to reach agreements aimed at mitigating the identified risk factors and the protection of the families of the Nueva Austria del Sira Community;
- e. to continue to promote the appropriate follow-up measures in terms of Article 25.10 and other provisions of its Rules of Procedure.

**UNITED STATES****Resolution No. 6/24 (GRANT)****PM 1028-23 - Brenda Evers Andrew, United States**

On February 26, 2024, the IACHR granted precautionary measures in favor of Brenda Evers Andrew. The request indicates that Ms. Andrew is at risk given the imminent execution of the death penalty. The applicants also submitted a petition alleging violation of several articles of the American Declaration of the Rights and Duties of Man: due process, right to equality before law, right to a fair trial and adequate defense. In particular, the applicants alleged that her trial was loaded with gender-based stereotypes and a discriminatory narrative. For its part, the State reported that it forwarded the request for precautionary measures to the Attorney General of the state of Oklahoma and reaffirmed its position that the Commission lacks authority to require States to take precautionary measures.

Upon analyzing the submissions of fact and law offered, the Commission considered that the information presented shows *prima facie* that there is a serious and urgent risk of irreparable harm to Ms. Andrew's rights to life and personal integrity, in accordance with Article 25 of its Rules of Procedure. Furthermore, should Ms. Andrew be executed before the Commission has the opportunity to examine the merits of his petition, any eventual decision would be irrelevant and would cause irreparable harm. Accordingly, the Commission requested that the United States of America:

- a. adopt the necessary measures to protect the life and personal integrity of Ms. Brenda Evers Andrew; and
- b. refrain from carrying out the death penalty on Ms. Brenda Evers Andrew until the IACHR has had the opportunity to reach a decision on her petition.

**Resolution No. 18/24 (LIFT)**  
**PM 53-99 - Mary and Carrie Dann, United States**

The Inter-American Commission on Human Rights (IACHR) decided to lift the precautionary measures in favor of Mary and Carrie Dann regarding the United States of America. At the time of taking the decision, the Commission observes that the merits of the case have been resolved and the scope of the State's obligations has been settled, rendering the precautionary measures at hand moot. In addition, the Commission verified that it is not possible to identify a current situation that places the beneficiaries at risk in the terms of Article 25 of the Rules of Procedure. The IACHR will continue to follow up on Report N° 75/02, published on December 27th, 2002.

**URUGUAY****Resolution No. 17/24 (LIFT)**  
**PM 402-17 - Jair Krischke, Uruguay**

The Inter-American Commission on Human Rights (IACHR) decided to lift these precautionary measures in favor of Jair Krischke, in Uruguay. At the time of making the decision, the Commission assessed the actions taken by the State during implementation, the progress in the procedures to mitigate the risk, as well as the lack of information from the representation. The representation sent its last communication on October 15, 2019, and did not respond to the requests for information issued between 2019, 2022, and 2023. Upon not identifying compliance with the procedural requirements, the IACHR has decided to lift these measures.

**VENEZUELA****Resolution No. 26/24 (EXTENSION AND FOLLOW-UP)**  
**PM 438-15 - Members of the Venezuelan Program of Education-Action on Human Rights (PROVEA), Venezuela**

On April 29, 2024, the IACHR decided to follow up and extend precautionary measures in favor of members of the Venezuelan Program of Education-Action on Human Rights in Venezuela. According to the request, the members of PROVEA are at risk in the context of their work as human rights defenders in the current situation of Venezuela, considering the visibility of the institution and its coordinators, the frequent stigmatizing remarks made by high-ranking State authorities in the media, and the surveillance and monitoring by State agents. Consequently, under the terms of Article 25 of its Rules of Procedure, the IACHR decided to require that Venezuela:

- a. adopt the necessary measures to guarantee the life and personal integrity of the persons identified as members of the PROVEA team;
- b. adopt the necessary measures so that the beneficiaries can carry out their activities as human rights defenders without being subjected to acts of violence, threats, and harassment;
- c. consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and
- d. report on the actions taken to investigate the alleged facts that led to these precautionary measures, so as to prevent them from reoccurring.

**Resolution No. 31/24 (GRANT)**  
**PM 288-24 - Joel Antonio García Hernández, Venezuela**

On May 13, 2024, the IACHR granted precautionary measures in favor of Joel Antonio García Hernández, lawyer and human rights defender, who has been suffering threats and aggression related to his work in defense of people considered “political prisoners” in Venezuela. Despite having filed complaints and requests for protection to the internal authorities, no protection measures have been implemented by State bodies to prevent further attacks, and no progress has been made in the investigations. For its part, the State, although informed, has not submitted a response. The Commission, after evaluating the allegations, as well as the context of hostility in the country against legal defenders and the lack of response from the State, understood, *prima facie*, that the requirements of seriousness, urgency, and irreparable harm are present.

In accordance with Article 25 of the Rules of Procedure, the Commission requested that Venezuela:

- a. adopt the necessary measures to protect the rights to life and personal integrity of Joel Antonio García Hernández, in accordance with the applicable international standards and obligations, including acts of risk attributable to third parties;
- b. implement the necessary measures so that the beneficiary can carry out his work as a defense lawyer without being subjected to acts of intimidation, threats, or other acts of violence in the exercise thereof;
- c. consult and agree upon the measures to be adopted with the beneficiary and his representatives; and
- d. report on the actions taken to investigate the alleged facts that led to the adoption of this precautionary measure, so as to prevent them from reoccurring.

**Resolution No. 46/24 (GRANT)**  
**PM 862-24 - María Andreina Oropeza Camacho, Venezuela**

On August 10, 2024, the IACHR granted precautionary measures in favor of María Andreina Oropeza Camacho, after considering that she is in a serious and urgent situation presenting a risk of irreparable harm to her rights in Venezuela. The requesting party alleged that María Andreina Oropeza Camacho, state coordinator of the campaign command of presidential candidate Edmundo González, has been in a situation of “forced disappearance” since August 6, 2024, after having suffered an allegedly arbitrary search of her residence by agents of the General Directorate of Military Counterintelligence (DGCIM). It was reported that she managed to record and broadcast live, from her social networks, when the State agents raided her residence. Later, her phone was confiscated. They add that her mother has been looking for her in all the detention centers in Guanare and Acarigua, without receiving news of her whereabouts and state of health. The IACHR took into account that the beneficiary was deprived of her liberty by State agents and her whereabouts are unknown to date, in the context of repression during the post-election protests in the country. In accordance with Article 25 of the Rules of Procedure, it requested that Venezuela:

- a. adopt the necessary measures to protect the rights to life and personal integrity of María Andreina Oropeza Camacho. In particular, inform whether the beneficiary is in the custody of the State and her current circumstances, or provide information on the measures aimed at determining her whereabouts or fate, and
- b. report on the actions taken in order to investigate the alleged facts that gave rise to the adoption of this precautionary measure, so as to prevent them from reoccurring.

**Resolution No. 49/24  
PM 533-17 - Williams Dávila, Venezuela**

The Inter-American Commission on Human Rights (IACHR) adopted on August 14, 2024, the Follow-up and Modification Resolution 49/2024 in relation to the situation of Williams Dávila in Venezuela (PM-533-17). The IACHR expressed particular concern about the ongoing risk faced by the beneficiary since the granting of the PM, without the State having adopted protection measures in his favor, and that the risk has increased after his whereabouts have been unknown since August 8, 2024, following his alleged arbitrary detention by State agents in the Plaza de Los Palos Grandes, in Caracas, Venezuela. The IACHR took note of public information that a criminal complaint for “forced disappearance” was filed with the Public Prosecutor’s Office, highlighting the health situation of the beneficiary and recalling his status as an elderly person. After analyzing the submissions of fact and law, in light of the context of repression in the post-electoral protests in Venezuela, the Commission believed that the current situation of Williams Dávila was part of a cycle of events against him that seek to remove him from public debate. Therefore, pursuant to Article 25 of the Rules of Procedure, the IACHR requested that the State of Venezuela:

- a. adopt the necessary measures to guarantee the life and personal integrity of Mr. Williams Dávila;
- b. take the necessary measures to guarantee that Mr. Williams Dávila can carry out his activities as a member of the National Assembly without being subjected to threats, harassment, or acts of violence in the exercise of his functions;
- c. report whether the beneficiary is in the custody of the State and his circumstances, or the measures to determine his whereabouts or fate;
- d. consult and agree upon the measures to be implemented with the beneficiary and his representatives; and
- e. report on the actions taken to investigate the alleged facts that led to the adoption of this resolution, so as to prevent them from reoccurring.

**Resolution No. 50/24 (GRANT)  
PM 883-24 - Roland Oswaldo Carreño Gutiérrez, Venezuela**

On August 17, 2024, the IACHR granted precautionary measures to Roland Oswaldo Carreño Gutiérrez, journalist, political activist, and national leader of the opposition party Voluntad Popular. On August 2, 2024, in Caracas, he was reportedly deprived of his liberty by agents of the Bolivarian National Intelligence Service (SEBIN). To date, his whereabouts are unknown and it is estimated that he had been “forcibly disappeared.”

When evaluating the decision, the Commission observed, in addition to the contextual monitoring of Venezuela, the follow-up carried out by the Special Rapporteurship for Freedom of Expression of the IACHR on the situation of the beneficiary after his detention in 2020. The Commission highlighted the context of systematic persecution against the opposition in Venezuela and considered the information indicating that he was allegedly detained by State agents to be of particular concern. It also highlighted the impossibility of activating internal institutions to request protection. The Commission considered that the beneficiary faces a situation of extreme vulnerability as his current location and whereabouts are unknown. The Commission expressed its concern given that the beneficiary’s situation could have a chilling effect on other journalists being able to express themselves freely in the current post-electoral context of the country. After analyzing the available information, in accordance with Article 25 of its Rules of Procedure, the IACHR requested that Venezuela:

- a. adopt the necessary measures to protect the rights to life and personal integrity of Roland Oswaldo Carreño Gutiérrez. In particular, inform whether the beneficiary is in the custody of the State and his



current circumstances, or provide information on the measures aimed at determining his whereabouts or fate, and

- b. report on the actions taken in order to investigate the alleged facts that gave rise to the adoption of this precautionary measure, so as to prevent them from reoccurring.

**Resolution No. 51/24****PM 359-16 - Américo de Grazia, Venezuela**

On August 17, 2024, the Inter-American Commission on Human Rights (IACHR) adopted Follow-up and Modification Resolution 51/2024 regarding the situation of Américo de Grazia in Venezuela (PM-359-16). The IACHR expressed particular concern about the continued risk faced by the beneficiary since the granting of the PM, without the State having adopted protection measures in his favor, and that the risk has increased after his official whereabouts have been unknown since August 8, 2024, following his alleged arbitrary detention by State agents in Caracas, Venezuela. The IACHR took note of complaints filed before different bodies regarding these facts. Upon analyzing the submissions of fact and law, in light of the context of repression in the post-election protests in Venezuela, the Commission believed that the current situation of Américo de Grazia is part of a cycle of events against him that seek to remove him from public debate. Therefore, under the terms of Article 25 of the Rules of Procedure, the IACHR requested that the State of Venezuela:

- a. Adopt the necessary measures to protect the rights to life and personal integrity of the beneficiary;
- b. Implement the necessary measures to ensure that the proposed beneficiary can carry out his activities as opposition leader in Venezuela, without being subject to threats, harassment, or acts of violence;
- c. Report whether the beneficiary is in the custody of the State and his current circumstances, or provide information on the measures to determine his whereabouts or fate;
- d. Consult and agree upon on the measures to be implemented with the beneficiary and his representatives; and
- e. Report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 54/24 (GRANT)****PM 900-24 - Carmen Leonor García Azuaje, Venezuela**

On August 23, 2024, the IACHR granted precautionary measures to Carmen Leonor García Azuaje. It was informed that Carmen Leonor García Azuaje is secretary of the opposition party “Alianza Bravo Pueblo”. On August 17, 2024, the beneficiary was apprehended in the center of the city of Puerto Ayacucho in Amazonas state by officers of the Strategic Intelligence Division of the Bolivarian National Police. From the moment of her arrest, the whereabouts of the beneficiary is unknown. Therefore, it was alleged that the situation of the beneficiary is one of “forced disappearance”.

The Commission, at the time of evaluating the decision, considered the circumstances that preceded the detention of the beneficiary to be of special importance, in addition to the contextual monitoring of the country carried out by the IACHR. Likewise, the Commission expressed its special concern for the fact that since the moment she was detained by agents of the Bolivarian National Police, her whereabouts are unknown. The Commission highlighted that the beneficiary, in addition to being the secretary of the opposition party “Alianza Bravo Pueblo” in the state of Amazonas, has also been the target of threats and harassment due to her participation as an electoral witness in the July 2024 presidential elections in Venezuela. The Commission considered that the beneficiary is in a total lack of protection against the situations she could be facing at

present after her whereabouts are unknown. After analyzing the available information, the IACHR, in accordance with Article 25 of its Rules of Procedure, requested that Venezuela:

- a. adopt the necessary measures to protect the rights to life and personal integrity of Carmen Leonor García Azuaje. In particular, inform whether the beneficiary is in the custody of the State and the circumstances of her detention, or the measures taken to determine her whereabouts or fate. The Commission considers it necessary for the State to specify whether the beneficiary was brought before a court of competent jurisdiction to review her detention if she has been charged with a crime. If not, specify the reasons why she has not been released to date;
- b. implement the necessary measures so that the beneficiary can carry out her activities as a member of an opposition party without being subjected to threats, harassment or acts of violence; and
- c. report on the actions taken to investigate the alleged facts that gave rise to this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 55/24 (GRANT)**

**PM 899-24 - Freddy Francisco Superlano Salinas, Venezuela**

On August 26, 2024, the IACHR granted precautionary measures in favor of Freddy Francisco Superlano Salinas. It was alleged that Freddy Francisco Superlano Salinas is a political leader and serves as national coordinator of the *Voluntad Popular* party. On July 30, 2024, in Caracas, the beneficiary was arbitrarily deprived of his freedom by alleged state agents affiliated with the Bolivarian National Intelligence Service (SEBIN). They applicants stated that, since his arrest, the beneficiary's whereabouts have been unknown. Having analyzed the information available, pursuant to Article 25 of its Rules of Procedure, the IACHR requested that the State of Venezuela:

- a. adopt the necessary measures to protect the rights to life and personal integrity of Freddy Francisco Superlano Salinas. In particular, inform whether the beneficiary is in the custody of the State and his current circumstances, or provide information on the measures aimed at determining his whereabouts or fate. The Commission considers it necessary for the State to specify whether the beneficiary was brought before a court of competent jurisdiction to review his detention if he had been charged with a crime. Otherwise, provide a detailed explanation for the reasons why the individual has not yet been released;
- b. implement the necessary measures to ensure that the beneficiary can carry out his activities as a member of an opposition party without facing threats, harassment, or acts of violence; and
- c. report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 58/24 (GRANT)**

**PM 907-24 - Ana Carolina Guaita Barreto, Venezuela**

On August 27, 2024, the IACHR granted precautionary measures in favor of the journalist Ana Carolina Guaita Barreto, upon considering that she is at serious and urgent risk of irreparable harm to her rights in Venezuela. According to the request, the proposed beneficiary was arbitrarily arrested on August 20, 2024 and taken to the headquarters of the Directorate of Citizen Security at the Governor's Office of La Guaira (Dirección de Seguridad Ciudadana de la Gobernación de la Guaira). On August 22, members of the Bolivarian National Intelligence Service allegedly transported her to an unknown location. The applicants characterized the situation as a "forced disappearance." It was added that the beneficiary's parents are in hiding due to political persecution. For this reason, according to the available information, third parties have made search efforts by visiting the Directorate of Citizen Security at the Governor's Office of La Guaira to inquire about the proposed

beneficiary's whereabouts. However, they were unable to obtain any information. At the judicial level, an attempt was made to file a writ of habeas corpus, which was reportedly not accepted by the relevant judicial authority. Given the lack of response from the State, the Commission had no elements to assess the actions that may have been initiated in her favor.

The IACHR considered the seriousness of the situation that the proposed beneficiary faces, which is exacerbated by the context in which she is immersed, as well as her complete lack of protection in light of the events she may currently be experiencing, given that her whereabouts are unknown. Consequently, under the terms of Article 25 of its Rules of Procedure, it requested that Venezuela:

- a. adopt the necessary measures to protect the rights to life and personal integrity of Ana Carolina Guaita Barreto. In particular, inform whether the beneficiary is in the custody of the State and her current circumstances, or provide information on the measures aimed at determining her whereabouts or fate. The Commission considers it necessary for the State to specify whether the beneficiary was brought before a court of competent jurisdiction to review her detention if she had been charged with a crime. Otherwise, provide a detailed explanation for the reasons why the individual has not yet been released;
- b. implement the necessary measures to ensure that the beneficiary can carry out her journalistic activities without facing threats, harassment, or acts of violence; and
- c. report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

#### **Resolution No. 61/24 (GRANT)**

#### **PM 928-24 - Perkins Rocha Contreras, Venezuela**

On September 2, 2024, the Inter-American Commission on Human Rights adopted Resolution 61/2024, by which it granted precautionary measures for the benefit of Perkins Rocha Contreras after considering that he is in a serious and urgent situation presenting a risk of irreparable harm to his rights in Venezuela.

The applicants indicated that Perkins Rocha Contreras is the Legal Coordinator of the Vente Venezuela party and representative of the Comando Venezuela before the National Electoral Council. He is a lawyer and personal advisor to María Corina Machado, National Coordinator of the Vente Venezuela party. Perkins Rocha was detained on August 27, 2024, by hooded and armed officers, who, after a strong struggle, allegedly took him away without an arrest warrant. Since then, his official whereabouts are unknown. According to public information, the wife of the proposed beneficiary received a message that Mr. Rocha is at the headquarters of the Bolivarian National Intelligence Service (SEBIN), a place where they had previously denied his presence. The family is aware that the proposed beneficiary is charged with various crimes, such as terrorism and treason. However, neither the family nor his trusted lawyer have been able to see him or confirm his legal situation.

After analyzing the submissions of fact and law furnished by the applicants, the Commission considered that the proposed beneficiary is in a serious and urgent situation, given that to date his whereabouts are unknown. Consequently, based on Article 25 of its Rules of Procedure, the Commission requested that Venezuela:

- a. adopt the necessary measures to protect the rights to life and personal integrity of Perkins Rocha Contreras. In particular, among others, inform whether the beneficiary is in State custody at the SEBIN headquarters and the circumstances of his detention; specify whether the beneficiary was brought before a competent court to review his detention after having been charged with crimes; or, otherwise, specify the reasons why he has not been released to date; and guarantee the beneficiary's contact with his family and trusted attorneys, and provide them with the minimum official information on his legal situation;

- b. implement the necessary measures to ensure that the beneficiary can carry out his activities as a member of an opposition party without facing threats, harassment, or acts of violence;
- c. report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 62/24 (GRANT)****PM 937-24 - Eleanger David Navas Vidal, Venezuela**

On September 2, 2024, the IACHR adopted precautionary measures in favor of Eleanger David Navas Vidal. It was indicated that the beneficiary is a community manager of the newspaper Oriental. On August 3, 2024, the beneficiary was deprived of his liberty by members of the Bolivarian National Police (PNB). The family members were informed that Eleanger David was transferred to Yare prison on August 26, 2024. However, at that place, they were informed that the beneficiary was not detained. To date, the beneficiary's whereabouts are unknown.

At the time of analyzing the request, the Commission highlighted, in addition to the current context in Venezuela, that the detention and subsequent lack of information about the beneficiary's fate would be closely linked to his role as community manager of the Instagram account of a newspaper whose editorial line is not aligned with the current government. The Commission identified that, since August 26, 2024, his whereabouts are unknown. In addition, his relatives have not been able to obtain official information about his current whereabouts despite the search actions carried out. They have no contact with the beneficiary and have not received any information about any action taken by the assigned public defender.

After analyzing the submissions of fact and law furnished by the applicants, the Commission considered that the beneficiary is in a serious and urgent situation, given that to date his whereabouts are unknown. Consequently, based on Article 25 of its Rules of Procedure, the Commission requested that Venezuela:

- a. adopt the necessary measures to protect the rights to life and personal integrity of Eleanger David Navas Vidal. In particular, among others, indicate the detention center where the proposed beneficiary is currently held and clarify his legal situation; allow access and contact with his relatives and trusted attorneys; specify the actions the public defender has taken in favor of the proposed beneficiary; detail whether his current situation has been subject to judicial review; report on the detention conditions in which he is held; and evaluate the granting of alternative measures to the deprivation of liberty, considering the exceptional nature of pretrial detention; and
- b. report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 63/24 (GRANT)****PM 931-24 - Biagio Pilieri Gianninoto y Jesús Alfredo Pilieri Vasile, Venezuela**

On September 6, 2024, the Inter-American Commission on Human Rights adopted Resolution 63/2024, by which it granted precautionary measures in favor of Biagio Pilieri Gianninoto and Jesús Alfredo Pilieri Vasile after considering that they are in a serious and urgent situation presenting a risk of irreparable harm to their rights in Venezuela.

After analyzing the submissions of fact and law furnished by the applicants, the Commission observed that in the post-electoral context of Venezuela, and taking into account the applicable prima facie standard, it is proven that the rights to life and personal integrity of the beneficiaries are at serious risk, especially after their detention on August 28, 2024, by SEBIN and since the official whereabouts of Biagio Pilieri are currently unknown. Consequently, based on Article 25 of its Rules of Procedure, the Commission requested that Venezuela:

- a. adopt the necessary measures to protect the rights to life and personal integrity of the beneficiaries. In particular, among others, inform whether Biagio Pilieri Gianninoto is in State custody at the SEBIN headquarters and the circumstances of his detention; specify whether the beneficiary was brought before a competent court to review his detention after having been charged with crimes; or, otherwise, specify the reasons why he has not been released to date; specify whether the beneficiary has undergone a medical evaluation and submit the corresponding documentary support; and guarantee the beneficiary's contact with his family and trusted attorneys, and provide them with the minimum official information on his legal situation;
- b. implement the necessary measures to ensure that Biagio Pilieri Gianninoto and Jesús Alfredo Pilieri can carry out their activities as members of an opposition party without facing threats, harassment, or acts of violence; and
- c. report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 64/24 (GRANT)****PM 941-24 - Nelida del Rosario Sánchez Oropeza, Venezuela**

On September 6, 2024, the IACHR granted precautionary measures in favor of Nelida del Rosario Sánchez Oropeza, considering that she is in a serious and urgent situation presenting a risk of irreparable harm to her rights in Venezuela. According to the request, the beneficiary is the national training coordinator of the non-governmental organization Súmate, in Venezuela, and was detained on August 26, 2024, by agents of the Bolivarian National Intelligence Service (SEBIN). On August 28, 2024, she was transferred to an unknown location. It was added that she was suffering from illnesses that would require special care and that, at the moment, there is no news of her state of health and whether she was receiving adequate medical attention. Family members undertook a search effort, going to the SEBIN headquarters in Helicoide, Caracas, to seek news of the whereabouts of the proposed beneficiary. Despite their efforts, the officials did not provide any information. In addition, an attempt was made to file a complaint of forced disappearance, which was not received by the competent authority. Given the lack of response from the State, the Commission had no elements to evaluate the actions that would have been initiated on her behalf.

Consequently, in accordance with Article 25 of the Rules of Procedure, Venezuela was requested to:

- a. adopt the necessary measures to protect the rights to life and personal integrity of Nelida del Rosario Sánchez Oropeza. In particular, inform whether the beneficiary is in the custody of the State and her current circumstances, or provide information on the measures aimed at determining her whereabouts or fate. The Commission deems it necessary for the State to specify whether the beneficiary was brought before a court of competent jurisdiction to review her detention if she had been charged with a crime. Otherwise, provide a detailed explanation for the reasons why the beneficiary has not yet been released. In any case, the State is requested to specify whether the beneficiary has undergone a medical evaluation and to provide the corresponding documentation;
- b. implement the necessary measures to ensure that the beneficiary can carry out her human rights defense activities without being subjected to threats, harassment, or acts of violence; and
- c. report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 67/24 (GRANT)****PM 952-24 - Osmay Gabriela Sánchez Chirinos, Venezuela**

On September 27, 2024, the IACHR granted precautionary measures in favor of Osmay Gabriela Sánchez Chirinos, who is at risk given that she is pregnant, is currently deprived of her Liberty, and is not receiving

adequate medical care for her situation. Upon analyzing the request, the Commission took into account not only the Venezuelan context but highlighted that the beneficiary was arrested within the framework of the so-called “Operation Tun Tun,” aimed at arresting individuals who are perceived as opponents of the regime. Furthermore, the Commission highlighted that, prior to being deprived of her liberty, the beneficiary was unaware of the existence of any criminal proceedings or detention orders against her, that a public defender had been assigned to her, and that she had been subjected to threats from her guards, among other situations. The Commission emphasized that the beneficiary’s detention conditions are not adequate, particularly given her pregnancy and the care she requires. Upon analyzing the available information, based on Article 25 of its Rules of Procedure, the IACHR requested that Venezuela:

- a. adopt the necessary measures to protect the rights to life, personal integrity, and health of Osmay Gabriela Sánchez Chirinos, with a gender perspective, in accordance with applicable international standards and obligations;
- b. implement the necessary measures to ensure that her detention conditions are compatible with applicable international standards on the matter. In particular, guarantee access to the corresponding medical diagnoses and define her medical treatment;
- c. consult and agree upon the measures to be implemented with the beneficiary and their representatives; and
- d. report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 71/24 (GRANT)**

**PM 973-24 - Juan Pablo Guanipa Villalobos, Venezuela**

On October 7, 2024, the IACHR granted precautionary measures in favor of Juan Pablo Guanipa Villalobos, considering that he is in a serious and urgent situation presenting a risk of irreparable harm to his rights in Venezuela. According to the request, he is a member of the Venezuelan opposition and has been subject to intimidation, harassment and aggression at least since 2016. Following the July 2024 presidential elections, he was allegedly subject to motorized persecution, on August 3 and 28, 2024, by SEBIN agents. The harassment allegedly extended to several members of his family, leading to the closure of family businesses, siege of his family home, and cancellation of passports. His brother was also reportedly detained under allegations of arbitrariness. After analyzing the information, the IACHR requested that the State of Venezuela:

- a. adopt the necessary measures to protect the rights to life and personal integrity of Juan Pablo Guanipa Villalobos;
- b. ensure the corresponding measures to guarantee that the beneficiary can continue to carry out his activities of political participation without being subjected to threats, harassment or acts of violence in the exercise of these activities. In particular, the State must ensure that its agents respect the rights and personal integrity of the beneficiary in accordance with the standards established by international human rights law, as well as in relation to acts of risk attributable to third parties;
- c. consult and agree upon the measures to be implemented with the beneficiary and his representatives; and
- d. report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.



**Resolution No. 74/24 (GRANT)****PM 1061-24 - Andreina Zerpa Vivas, Yolivares Infante Camacho and Eichler Hernández Ortuño, Venezuela**

On October 22, 2024, the IACHR granted precautionary measures in favor of Andreina Zerpa Vivas, Yolivares Infante Camacho and Eichler Hernández Ortuño, after considering that their rights to life and personal integrity face a risk of irreparable harm in Venezuela. According to the request, the identified persons have been subject to threats and harassment, following their participation as campaign members of Edmundo González and María Corina Machado in the State of Guárico for the presidential elections of July 2024 in Venezuela. The request refers to various events that allegedly occurred in the context of persecution of the political opposition in Venezuela.

Upon analyzing the submissions of fact and law made by the requesting party, the Commission requested that the State of Venezuela:

- a. adopt the necessary measures to protect the rights to life and personal integrity of Andreina Zerpa Vivas, Yolivares Infante Camacho, and Eichler Hernández Ortuño;
- b. ensure the corresponding measures to guarantee that the beneficiaries can continue to carry out their activities of political participation without being subjected to threats, harassment or acts of violence in the exercise of these activities. In particular, the State must ensure that its agents respect the rights and personal integrity of the beneficiaries in accordance with the standards established by international human rights law, as well as in relation to acts of risk attributable to third parties. Likewise, it must provide information on existing criminal investigations against the proposed beneficiaries; exhibit the judicial arrest warrants that exist, if any; and allow them to have security guarantees in the development of the eventual investigations;
- c. consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and
- d. report on the actions taken to investigate the alleged facts that gave rise to this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 78/24 (GRANT)****PM 1042-24, 1043-24 - Israel Moisés Crespo Sulbarán, J.D.C.C., and Gustavo Adolfo Torres**

On October 28, 2024, the IACHR granted precautionary measures for the benefit of Israel Moisés Crespo Sulbarán, J.D.C.C. and Gustavo Adolfo Torres Zambrano with respect to Venezuela. The proposed beneficiaries are reported to be at risk following their detention by law enforcement agents on July 30, 2024. To date, the whereabouts of Israel Moisés Crespo Sulbarán and Gustavo Adolfo Torres Zambrano are unknown following their transfer out of the place of detention where they were being held; and the adolescent J.D.C.C. is said to be in inadequate conditions of detention. Consequently, based on Article 25 of its Rules of Procedure, the Commission requested that Venezuela:

- a. adopt the necessary measures to protect the rights to life and personal integrity of the proposed beneficiaries. In particular, inform whether Israel Moisés Crespo Sulbarán and Gustavo Adolfo Torres Zambrano are in the custody of the State and the circumstances of their detention, or provide information on the measures aimed at determining their whereabouts or fate. The Commission considers it necessary for the State to specify whether the beneficiaries were brought before a court of competent jurisdiction to review their detention if they had been charged with crimes. Otherwise, specify the reasons why they have not been released to date;
- b. ensure the corresponding measures so that the wife of Israel Moises Crespo can continue to denounce her partner's situation without being subjected to threats, harassment, intimidation or acts of violence;

- c. implement the necessary measures to ensure that the beneficiaries' detention conditions are compatible with applicable international standards on the matter, including: i) guarantee that they are not subjected to violence, threats, intimidation, and aggression inside the prison; ii) provide access to adequate and specialized medical care and to the necessary medical care; iii) guarantee regular contact and access to their families and lawyers; and iv) in the case of J.D.C.C., take the corresponding measures in accordance with his best interests; and
- d. report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 79/24 (GRANT)****PM 896-24 - Leocenis Manuel García Osorio, Venezuela**

On October 28, 2024, the IACHR granted precautionary measures in favor of Leocenis Manuel García Osorio, considering that he is in a serious and urgent situation presenting a risk of irreparable harm to his rights in Venezuela. According to the request, the proposed beneficiary is a leader of the political party "ProCiudadanos" in Venezuela. According to the request, he was detained by state agents on September 11, 2024, after posting a video on his social networks criticizing recent government actions towards Venezuelans. The beneficiary's father tried to obtain official information on his whereabouts or state of health, without receiving a response. Family members have been unable to access domestic remedies due to the lack of information provided by state authorities. Given the lack of response from the State, the Commission had no elements to assess the actions that may have been initiated on his behalf.

- a. Consequently, in accordance with Article 25 of the Rules of Procedure, it requested that Venezuela:
- b. adopt the necessary measures to protect the rights to life and personal integrity of the beneficiary. In particular, among others, inform whether Leocenis Manuel García Osorio is under State custody and the circumstances of his detention; specify whether the beneficiary was brought before a competent court to review his detention after having been charged with crimes; or, otherwise, clarify the reasons why he has not been released to date; specify whether the beneficiary has undergone a medical evaluation and submit the corresponding documentary support; and guarantee the beneficiary's contact with his family and trusted attorneys, and provide them with the minimum official information on his legal status;
- c. implement the necessary measures to ensure that Leocenis Manuel García Osorio can carry out his political activities without facing threats, harassment, or acts of violence; and
- d. report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 80/24 (GRANT)****PM 1150-24 - Jan Darmovzal, Venezuela**

On October 31, 2024, the Inter-American Commission on Human Rights granted precautionary measures in favor of Jan Darmovzal after considering that he is in a serious and urgent situation presenting a risk of irreparable harm to his rights in Venezuela.

According to the request, the beneficiary is an active reservist in the Venezuelan Army and was traveling in Venezuela for tourism. The beneficiary was reportedly arrested on September 5, 2024, by State security agents in the town of Atabapo, Amazonas State. Since that date his whereabouts have not been known. It was alleged that no arrest warrant was issued, nor an investigation against him. Likewise, he is reportedly being held incommunicado, and it has not been made known in which security agency he is being held, nor has there been any information on his physical or psychological condition.

Consequently, the Commission requested that Venezuela:

- a. adopt the necessary measures to protect the rights to life and personal integrity of the beneficiary. In particular, inform whether the beneficiary is in the custody of the State and the circumstances of his detention, or provide information on the measures aimed at determining his whereabouts or fate. The Commission considers it essential for the State to specify whether the beneficiary was brought before a court of competent jurisdiction to review his detention if he had been charged with a crime. Otherwise, indicate the reasons why he has not been released to date. In any case, it requests that the State specify whether the beneficiary has undergone a medical evaluation, and to provide the relevant documentary support and indicate whether communication has been maintained with his country of nationality; and
- b. report on the actions taken in order to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 82/24 (GRANT)**  
**PM 1122-24 - S.J.R.G., Venezuela**

On November 7, 2024, the Inter-American Commission on Human Rights (IACHR) granted precautionary measures in favor of S.J.R.G., after considering that he is in a serious and urgent situation presenting a risk of irreparable harm to his rights in Venezuela. The request indicated that the beneficiary is an activist of the LGBTI community, a volunteer of the opposition political party Vente Venezuela and has been deprived of his liberty since August 6, 2024. It was alleged that he was subjected to torture, that he is in a state of malnutrition and dehydration, as well as that he does not receive the medical attention necessary to treat the HIV he suffers from. The State did not provide information on the matter. The IACHR valued the lack of information on the crimes of which the beneficiary is accused and what his legal situation is. It also considered the seriousness of the risk posed by the allegations of lack of care for HIV and the lack of knowledge of his current state of health and the actions that the State is taking to mitigate the alleged risk.

Consequently, in accordance with Article 25 of the Rules of Procedure, it requested that the State of Venezuela:

- a. adopt the necessary measures to protect the rights to life, personal integrity, and health of S.J.R.G., in accordance with the applicable international standards;
- b. implement the necessary measures to ensure that his detention conditions are compatible with the applicable international standards on the matter. In particular, ensuring that he is provided with the necessary medical treatment, as well as water and adequate food. The Commission considers it essential for the State to specify whether the beneficiary was brought before a court of competent jurisdiction to review his detention if he has been charged with a crime. Otherwise, indicate the reasons why he has not been released to date;
- c. consult and agree upon the measures to be adopted with the beneficiary and his representatives; and
- d. report on the actions taken to investigate the alleged facts that gave rise to this resolution, so as to prevent such events from reoccurring.

**Resolution No. 84/24 (FOLLOW-UP, MODIFICATION AND EXTENSION)**  
**PM 967-19 - Delsa Jennifer Solórzano Bernal, her work team, and P.L.I.S., Venezuela**

On November 12, 2024, the Inter-American Commission on Human Rights (IACHR) adopted Follow-up, Modification, and Extension Resolution 84/2024 in relation to the situation of Delsa Jennifer Solórzano Bernal in Venezuela (PM-967-19). The IACHR considered that the risk that has been observed since the granting of the PM against the beneficiary continues and has been increased in the pre-electoral and post-electoral period of the 2024 presidential election, without the State having adopted protection measures in her favor.

Likewise, it considered that certain identified persons of her team and P.L.I.S. share the risk, for which reason the measures in her favor were extended. Upon analyzing the submissions of fact and law, in the terms of Article 25 of its Rules of Procedure, the Commission concluded that the situation of Ms. Delsa Jennifer Solórzano Bernal continues to exist and decided to extend the precautionary measures in favor of Jonathan Gerardi, Eliannys Vidoza, Axel Espinoza, Daniel Murolo, María Isabel Gudiño, Valentina Rodríguez, and P.L.I.S. Therefore, the Commission requested that Venezuela:

- a. adopt the necessary measures to protect the rights to life and personal integrity of Delsa Jennifer Solórzano Bernal, the members of her work team, and P.L.I.S., duly identified in this resolution;
- b. implement the necessary measures, with a gender perspective, to guarantee that the beneficiaries can carry out their political activities without being subjected to threats, harassment, or acts of violence;
- c. consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and
- d. report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 87/24 (EXTENSION AND FOLLOW-UP)  
PM 409-23 - Franklin Alfredo Caldera Cordero and family, Venezuela**

The Inter-American Commission on Human Rights (IACHR) adopted on November 25, 2024 the Follow-up, Modification and Extension Resolution 87/2024 regarding the situation of Franklin Caldera Cordero in Venezuela. The IACHR considered that the risk that places the beneficiary at risk has been observed since the granting of the precautionary measure, continues, and has been extended to his son, Franklin Caldera Martínez, as well as to his wife, Yuraima Martínez. Upon analyzing the submissions of fact and law, in the terms of Article 25 of its Rules of Procedure, the Commission concluded that the situation of Franklin Alfredo Caldera Cordero remains and it is extended to his son, Franklin Caldera Martínez, as well as to his wife, Yuraima Martínez. Consequently, the IACHR decided:

- a. To continue to follow up on the situation of Franklin Alfredo Caldera Cordero;
- b. To extend the precautionary measures in favor of Franklin Caldera Martínez (son) and Yuraima Martínez;
- c. To modify the scope of these precautionary measures, and require that the State of Venezuela:
  - i. adopt the necessary measures to protect the rights to life and personal integrity of Franklin Alfredo Caldera Cordero, Franklin Caldera Martínez and Yuraima Martínez. In the case of Franklin Caldera Martínez, the measures must include those necessary to also protect his right to health;
  - ii. adopt the necessary measures to guarantee that Franklin Alfredo Caldera Cordero can continue to carry out his work as a human rights defender without being subjected to threats, intimidation, harassment or acts of violence in the exercise of his duties. In particular, it must formally inform the beneficiary of the existence of any investigation process against him, including at least: the facts under investigation, the crimes he is accused of, the prosecutor's office in charge of the investigation, and the competent judicial authority in charge of the investigation. The State must allow the beneficiary and/or his representatives to have access to the entire criminal file against him, if it exists, allowing him to file the corresponding appeals and guaranteeing his security in its processing;
  - iii. implement the necessary measures to ensure that the conditions of detention of Franklin Caldera Martínez (son) are compatible with the applicable international standards on the matter, among them: guarantee that he is not subjected to violence, threats,

intimidation, aggression and torture inside the prison; guarantee access to adequate and specialized medical care, as well as to the necessary treatment and medication, and immediately carry out a comprehensive medical assessment of his health situation; and evaluate the possibility of granting alternative measures to the deprivation of liberty given the impossibility of protecting his rights in light of the current conditions of detention;

- iv. consult and agree upon the measures to be adopted with the beneficiaries and their representation; and
- v. report on the actions taken to investigate the alleged facts that gave rise to the adoption and validity of these precautionary measures, so as to prevent such events from reoccurring. In particular, the State is requested to conduct an investigation with due diligence into the threats, allegations of torture and other acts of violence reported, including those that could have taken place by State officials and/or agents against the beneficiaries.

**Resolution No. 88/24 (GRANT)****PM 1237-24 - Eduardo Emiro Labrador, Venezuela**

On November 25, 2024, the IACHR granted precautionary measures in favor of Eduardo Emiro Labrador, after considering that he is in a serious and urgent situation since his rights to life and personal integrity face a risk of irreparable harm in Venezuela. According to the request, the beneficiary was detained on October 18, 2024, by agents of the Zulia Regional Police and transferred to an unknown location. The situation has continued despite several domestic remedies filed. The State did not respond. Therefore, in terms of Article 25 of the Rules of Procedure, the State of Venezuela is requested to:

- a. adopt the necessary measures to protect the rights to life and personal integrity of Eduardo Emiro Labrador. In particular, inform whether the beneficiary is in the custody of the State and his current circumstances, or provide information on the measures aimed at determining his whereabouts or fate. The Commission deems it essential for the State to specify whether the beneficiary was brought before a court of competent jurisdiction to review his detention, if he had been charged with a crime. Otherwise, indicate the reasons why he has not been released to date. In any case, the State is requested to report on the status of the criminal file that has been opened against the beneficiary, and to allow access to family members and legal representatives. Likewise, it is required to specify whether the beneficiary has undergone a medical evaluation, and provide the corresponding documentary support;
- b. implement the necessary measures so that the beneficiary can carry out his activities, as a member of an opposition political party and a deputy of the Legislative Council of the state of Zulia, without being subjected to threats, harassment, or acts of violence;
- c. consult and agree upon the measures to be adopted with the beneficiary, his family, and his representatives; and
- d. report on the actions taken to investigate the alleged facts that led to this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 89/24 (FOLLOW-UP)****PM 125-19 - María Corina Machado, Venezuela**

The Inter-American Commission on Human Rights (IACHR) adopted on November 25, 2024 the Follow-up and Modification Resolution 89/2024 in relation to the situation of María Corina Machado Parisca in Venezuela (PM-125-19). The IACHR considered that the risk that has been observed since the granting of the PM against the beneficiary continues, and has increased in the post-electoral period of the 2024 presidential election,

without the State having adopted protection measures in her favor. After analyzing the allegations of fact and law, in the terms of Article 25 of its Rules of Procedure, the Commission concluded that the situation of Mrs. María Corina Machado Parisca persists, and decided as follows:

- a. Continue to monitor the situation of María Corina Machado Parisca in Venezuela;
- b. Not to extend the precautionary measures in relation to the requested persons;
- c. Modify the scope of these precautionary measures and to require that the State:
  - i. adopt the necessary measures to protect the rights to life and personal integrity of Ms. María Corina Machado Parisca;
  - ii. implement the necessary measures to guarantee that the beneficiary can continue to carry out her political participation activities without being subjected to threats, harassment, or acts of violence in the exercise thereof; In particular, to formally inform the beneficiary about the existence of any investigation against her, including at least: the facts under investigation, the alleged offenses, the prosecutor's office in charge of the investigation, and the competent judicial authority overseeing the case. The State must allow the beneficiary and/or her representation to have access to the entire criminal file against her, if it exists, thereby allowing her to submit the corresponding appeals and guaranteeing her security in the processing of the file;
  - iii. consult and agree upon the measures to be adopted with the beneficiary and her representation; and
  - iv. report on the actions taken to investigate the alleged events that led to the adoption of these precautionary measures, so as to prevent such events from reoccurring. In particular, the State is requested to conduct an investigation with due diligence into the threats and acts of violence reported, including those that could have been against the beneficiary at the hands of State officials and/or agents.

**Resolution No. 92/24 (EXTENSION, MODIFICATION, FOLLOW-UP, AND LIFT)  
PM 143-13, 181-19 - Identified members of the organization "Foro Penal", Venezuela**

On November 28, 2024, the IACHR identified that the risk persists with respect to four persons who were beneficiaries of precautionary measures through Resolution 8/2015, Resolution 7/2019, and Resolution 64/2019. It also decided to protect 10 additional persons who are members of the same organization. The IACHR regretted the lack of information and implementation of protection measures by the State, which reportedly places the beneficiaries in a situation of lack of protection in the context of the country.

Upon analyzing the available information, the Commission decided:

- a. Extend the precautionary measures in favor of the following persons, currently members of the Foro Penal organization in Venezuela: Kennedy Tejeda, Mayela Fonseca, Lucía Quintero, Pedro Arévalo, Arelys Ayala, Wicza Santos Matiz, Laura Valbuena, Raquel Sánchez Carrero, Franyer Jose Hernandez Valladares, and Marbella Gutiérrez;
- b. Maintain the precautionary measures in favor of Alfredo Romero, Gonzalo Himiob Santomé, Luis Betancourt, and Olnar Ortiz;
- c. Continue to monitor the situation of Olnar Ortiz under the registry of Precautionary Measures 143-13;
- d. Lift the precautionary measures regarding Yoseth Colmenares and Robiro Terán;



- e. Not to extend the measures in favor of Orlando Moreno and the other members of Foro Penal, while keeping the possibility open to submit additional information for future assessment.
- f. Modify the precautionary measures and require that the State of Venezuela:
  - i. adopt the necessary measures to protect the rights to life and personal integrity of the members of Foro Penal duly identified in this resolution;
  - ii. implement the necessary measures to guarantee that the beneficiaries can carry out their human rights defense activities without being subjected to threats, harassment, or acts of violence. Specifically, the Commission requests a detailed report on the circumstances surrounding Kennedy Tejeda's detention, including his current legal status and ensure that his relatives and trusted legal representatives can communicate with him. Regarding all beneficiaries, to formally inform about the existence of any investigation against them, including at least: the facts under investigation, the alleged offenses, the prosecutor's office in charge of the investigation, and the competent judicial authority overseeing the case. The State must allow the beneficiaries and/or their representation to have access to the entire criminal file against them, if it exists, thereby allowing them to file the corresponding appeals and guaranteeing their security in the processing of the file;
  - iii. consult and agree upon the measures to be adopted with the beneficiaries and their representatives;
  - iv. report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 94/24 (GRANT)****PM 1219-24 - Jorge Luis Graterol Guzman, Venezuela**

On December 4, 2024, the IACHR granted precautionary measures in favor of Jorge Luis Graterol Guzman, after considering that he is in a serious and urgent situation, given that his rights to life and personal integrity face a risk of irreparable harm in Venezuela. It was reported that he was the object of threats and intimidation. State officers reportedly indicated that they were not going to rest until they saw how he had his "toenails pulled out." Later, he was summoned by the Scientific, Penal, and Criminal Investigations Corps (CICPC) to appear for crimes against terrorism. This led him to seek shelter outside the city. Upon analyzing the available information, in accordance with Article 25 of its Rules of Procedure, the IACHR requested that Venezuela:

- a. adopt the necessary measures to protect the rights to life and personal integrity of Jorge Luis Graterol Guzman;
- b. implement the corresponding measures to guarantee that the beneficiary can continue to carry out his activities of political participation without being subject to threats, harassment or acts of violence in the exercise thereof. In particular, the State must ensure that state actors respect the beneficiary's rights and personal integrity in accordance with the standards established by international human rights law, and in relation to acts of risk attributable to third parties. Likewise, it must report on the existing criminal investigations against the beneficiary; present any judicial arrest warrants, if any; and allow him to have the security guarantees in the development of any investigations;
- c. consult and agree upon the measures to be adopted with the beneficiary and his representatives; and
- d. report on the actions taken to investigate the alleged events that led to this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 97/24 (LIFT)****PM 994-16 – Matter of Lorenzo Mendoza and family, Venezuela**

The Inter-American Commission on Human Rights (IACHR) decided to lift these precautionary measures in favor of Lorenzo Mendoza and his family, in the Bolivarian Republic of Venezuela. At the time of making the decision, the Commission assessed the State's request to lift in its report, as well as the lack of information from both parties since 2017. Upon currently not identifying compliance with the procedural requirements, the IACHR has decided to lift these measures.

**Resolution No. 99/24 (GRANT)****PM 1331-24 - Arley Danilo Espitia Lara, Venezuela**

On December 16, 2024, the IACHR granted precautionary measures in favor of Arley Danilo Espitia Lara.

On September 13, 2024, he traveled by land from Cúcuta to Venezuela. Once at the border at the Ureña bridge, the migration authorities asked for his documentation and arrested him. From that moment on, his whereabouts have been unknown.

Upon analyzing the submissions of fact and law, the Commission considers that the proposed beneficiary is in a serious and urgent situation, given that his current location is unknown to date. Consequently, pursuant to the provisions of Article 25 of its Rules of Procedure, the Commission requested that Venezuela:

- a. adopt the necessary measures to protect the rights to life and personal integrity of the beneficiary. In particular, inform whether the beneficiary is in custody of the State and his current circumstances, or provide information on the measures aimed at determining his whereabouts or fate. The Commission deems it essential for the State to specify whether the beneficiary was brought before a court of competent jurisdiction to review his detention, if he had been charged with a crime. Otherwise, indicate the reasons why he has not been released to date. In any case, it requests that the State specify whether the beneficiary has undergone a medical evaluation, and to provide the relevant documentary support and detail whether communication has been maintained with his country of nationality; and
- b. report on the actions taken in order to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

**Resolution No. 101/24 (GRANT)****PM 1213-24 - Gina Paola Mercado Núñez, Venezuela**

On December 16th, 2024, the IACHR granted precautionary measures in favor of Gina Paola Mercado Núñez, upon considering that she is at serious and urgent risk of irreparable harm to her rights in Venezuela. According to the request, the beneficiary was deprived of her liberty on July 29, 2024, after recording the protests that took place in the country's post-electoral context. It is alleged that her current detention conditions put her at risk, particularly as she is not receiving adequate medical care for her health issues. The IACHR regretted the lack of response from the State. Therefore, pursuant to Article 25 of its Rules of Procedure, it requested that Venezuela:

- a. adopt the necessary measures to protect the beneficiary's rights to life, personal integrity, and health, with a gender perspective, in accordance with the applicable international standards;
- b. implement the necessary measures to bring her detention conditions into line with applicable international standards. In particular, the following: make the corresponding medical diagnoses and define her medical treatment; allow her to receive sunlight on a regular basis; to provide her with food fit for human consumption and compatible with her health issues; to provide water and basic conditions for her hygiene; to ensure that she is not mistreated or physically assaulted; and facilitate contact with her trusted lawyer, giving them access to the criminal file that is being processed against the beneficiary;

- c. consult and agree upon the measures to be adopted with the beneficiary and her representatives; and
- d. report on the actions taken to investigate the alleged events that gave rise to this resolution, so as to prevent such events from reoccurring.

#### **Resolution No. 105/24 (GRANT)**

#### **PM 1426-24 - Jesús Alexander Armas Monasterios, Venezuela**

On December 31, 2024, the IACHR granted precautionary measures in favor of Jesús Alexander Armas Monasterios after considering that he is in a serious and urgent situation, given that his rights to life and personal integrity face a risk of irreparable harm in Venezuela. According to the request, the proposed beneficiary is a former Caracas councilor (2013-2018), political activist, and human rights defender, who was detained by Venezuelan security forces on December 10, 2024, in Caracas, Venezuela. To date there is no official information on the conditions of his current detention. The State did not provide information to the IACHR. Consequently, based on Article 25 of its Rules of Procedure, the Commission requested that Venezuela:

- a. adopt the necessary measures to protect the rights to life and personal integrity of Jesús Alexander Armas Monasterios. In particular, officially report whether he is in custody of the State and the circumstances of his detention; or else, the measures taken to determine his whereabouts or fate;
- b. establish the necessary measures to ensure that the beneficiary's detention conditions are compatible with the applicable international standards on the matter, including:
  - i. guaranteeing regular contact with and access to his family members, lawyers, and representatives;
  - ii. officially report on the legal situation of the beneficiary in the framework of the criminal process in which he is said to be involved, as well as the reasons why he has not been released to date or taken before an independent court;
  - iii. immediately carry out a medical evaluation of his health and guarantee access to the necessary medical care;
- c. consult and agree upon the measures to be adopted with the beneficiary and his representatives; and
- d. report on the actions taken to investigate the alleged facts that led to the adoption of this resolution, so as to prevent such events from reoccurring.

### **5. Provisional measures**

701. Provisional measures are provided for in Article 63(2) of the American Convention on Human Rights, which determines that, in situations of extreme gravity and urgency, when it is necessary to avoid irreparable harm to persons, the Inter-American Court of Human Rights (IACHR) may grant provisional measures. Following the decision of the Inter-American Court to grant a provisional measure, the follow-up of its implementation passes to the Court. In addition, the Commission, at the request of the Court, continues periodically to provide observations and relevant information on the implementation of provisional measures.

702. In 2024, the IACHR filed a new request for provisional measures and two requests for extensions, all of which were granted by the I/A Court H.R.:

- [Request for extension of provisional measures in the Juan Sebastián Chamorro et al. case regarding Nicaragua.](#)

On June 20, 2023, the Inter-American Commission requested the Inter-American Court of Human Rights to extend the provisional measures in the Juan Sebastián Chamorro et al. case regarding Nicaragua to include 25 persons deprived of their liberty, who are in a situation of extreme gravity and urgency of irreparable harm to their rights.

The beneficiaries were detained between 2021 and 2024 in the context of criminalization of any person critical of or opposed to the current government, as well as civil society actors who attempt to participate in public, social, political or religious life. These people are currently being held in three detention centers: in the León Penitentiary System “Santos Bárcenas Centeno”, in the Jorge Navarro Penitentiary System - “La Modelo”, and in the Integral Penitentiary Establishment for Women - “La Esperanza”.

The Commission considered the situation of the identified persons to be of particular concern, considering that they have no communication with their families and lawyers, as well as being held in conditions of detention that put them at risk. This is aggravated by the lack of medical attention and allegations of aggression, intimidation and harassment by state agents. In addition, the individuals have been prevented from enjoying the minimum guarantees of any judicial process.

The Court extended the provisional measures on July 2, 2024.<sup>214</sup>

- [Request for provisional measures in the Lovely Lamour case regarding Haiti.](#)

On July 1, 2024, the IACHR requested provisional measures from the Inter-American Court of Human Rights in favor of Lovely Lamour, who is in a situation of extreme gravity and urgency of irreparable harm to her rights. On August 29, 2023, the Commission granted precautionary measures in favor of Lovely Lamour, through Resolution 49/2023, however, she did not receive the necessary medical and psychological care during her pregnancy and after childbirth, despite her request. According to the available information, her physical health has shown a serious deterioration. Lamour has reported experiencing back pain and other conditions related to her reproductive health. In addition, it has been mentioned that her mental health has been affected and deteriorated since the separation and subsequent death of her son, who was buried under the category of “indigent”.

Despite repeated actions to obtain information from the State of Haiti, the Commission has not received a response indicating the adoption of suitable and effective measures to mitigate the risk identified. The IACHR understood that Lovely Lamour’s situation has worsened significantly, affecting her safety and her living and health conditions. The proposed beneficiary is homeless, away from her usual residence, without identification documents or economic resources to access adequate medical treatment, and with a deficient diet. She is currently sleeping in a goods warehouse. The information suggests that he has been subject to threats from relatives of the person with whom he had an incident in 2023, which led to his arrest that year. In addition, at the place where she sleeps, she has been exposed to physical aggression after refusing to have sexual relations with some of the young men who are also there.

The Court granted provisional measures on July 4, 2024.<sup>215</sup>

- [Request for extension of provisional measures in the Juan Sebastián Chamorro et al. case regarding Nicaragua.](#)

On October 3, 2024, the Inter-American Commission requested the Inter-American Court of Human Rights to extend the provisional measures in the Juan Sebastián Chamorro et al. case against Nicaragua

<sup>214</sup> I/A Court H.R., [Matter of Juan Sebastián Chamorro et al. v. Nicaragua](#), Extension of Provisional Measures, Order of July 2, 2024.

<sup>215</sup> I/A Court H.R., [Lovely Lamour Case regarding Haiti](#), Provisional Measures, Order of July 4, 2024.

to include four persons deprived of their liberty, who are in a situation of extreme gravity and urgency of irreparable harm to their rights.

The proposed beneficiaries were detained between 2021 and 2023 in the context of the criminalization of any person identified or perceived as a critic or opponent of the current government and, in general, of civil society that attempts to participate in public, social, political or religious life in Nicaragua. The four persons are being held in the Jorge Navarro Penitentiary System “La Modelo” and in the Integral Penal Establishment for Women (EPIM) “La Esperanza”.

The Commission considered the situation particularly worrisome considering that the proposed beneficiaries are in detention conditions that put them at risk, such as lack of medical attention, allegations of aggression, intimidation and harassment by state agents and limited contact with their families and lawyers. In addition, the proposed beneficiaries have been denied the minimum guarantees of any judicial process.

The Court granted the extension on November 27, 2024.<sup>216</sup>

703. During 2024, the Commission also submitted 92 legal briefs on provisional measures to the Inter-American Court. In addition, the IACHR presented its oral observations at a hearing convened by the Court held on June 17, 2024:

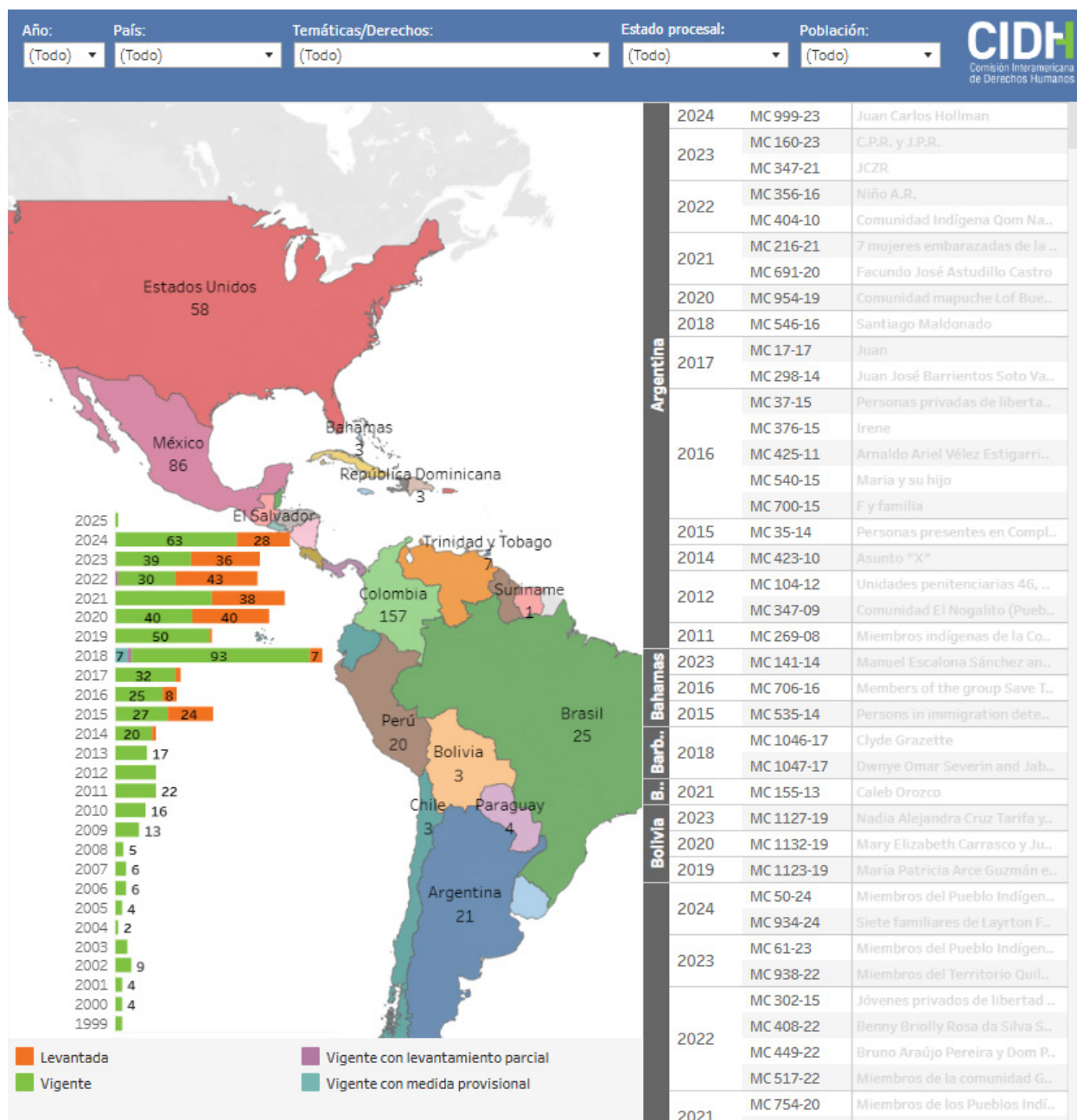
- **Public Hearing Request for Provisional Measures in the Cases of Barrios Altos and La Cantuta v. Peru:** the purpose of the request was to ask the Court to order the State to interrupt the legislative process and file Bill 6951/2023-CR. The same openly disobeys sentences issued by the Court by “automatically” establishing the statute of limitations, the nullity of sanctions, the non-enforceability of the same, and the prohibition of criminal prosecution of crimes for acts prior to 2002, which could be considered crimes against humanity or war crimes. On that occasion, the Commission recalled that the human rights violations that took place in the Barrios Altos and La Cantuta v. Peru cases, such as extrajudicial executions and forced disappearances, have been classified by the Commission and the Court as crimes against humanity. In these cases, the Court ruled that amnesty provisions, statutes of limitations and the establishment of exclusions of responsibility that seek to prevent the investigation and punishment of those responsible for these crimes are inadmissible. Thus, the IACHR warned the I/A Court H.R. that the request for provisional measures met the requirements of extreme gravity, urgency and irreparable harm, since it prevented access to justice for the victims of both cases.

## 6. Dissemination and transparency

704. In 2024, the IACHR continued its efforts to disseminate information on the precautionary measures mechanism and transparency about its operation with a view to increasing the knowledge of the users of the Inter-American system. Thus, the Commission, kept the section of its website for precautionary measures updated, publishing the resolutions adopted in the available translations. On the other hand, the IACHR updated its [interactive map of precautionary measures](#), which compiles information on the resolutions issued by the Commission in this area, presenting qualitative and quantitative information on the precautionary measures granted, followed up and extended or lifted.

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<sup>216</sup> I/A Court H.R., [Matter of Juan Sebastián Chamorro et al. v. Nicaragua](#), Provisional Measures, Order of November 27, 2024.



705. The Commission also disseminated information on precautionary measures through the publication of 94 press releases (PRs). In these, the IACHR publishes information on resolutions granting, extending, modifying and following up on precautionary measures (81 PRs), disseminates its work on requests for provisional measures before the Inter-American Court of Human Rights (three PRs), and follows up on precautionary measures in force (10 PRs), in some cases publishing them jointly with the thematic and country



rapporteurships.<sup>217</sup> The press releases also seek to urge States to adopt urgent measures, as in cases of the application of the death penalty.<sup>218</sup>

706. Regarding training on precautionary measures, in 2024, 13 training sessions were conducted for students, staff of international organizations, civil society organizations and state officials. Such training sessions may focus on the process of requesting precautionary measures, on the follow-up of existing measures, or both.

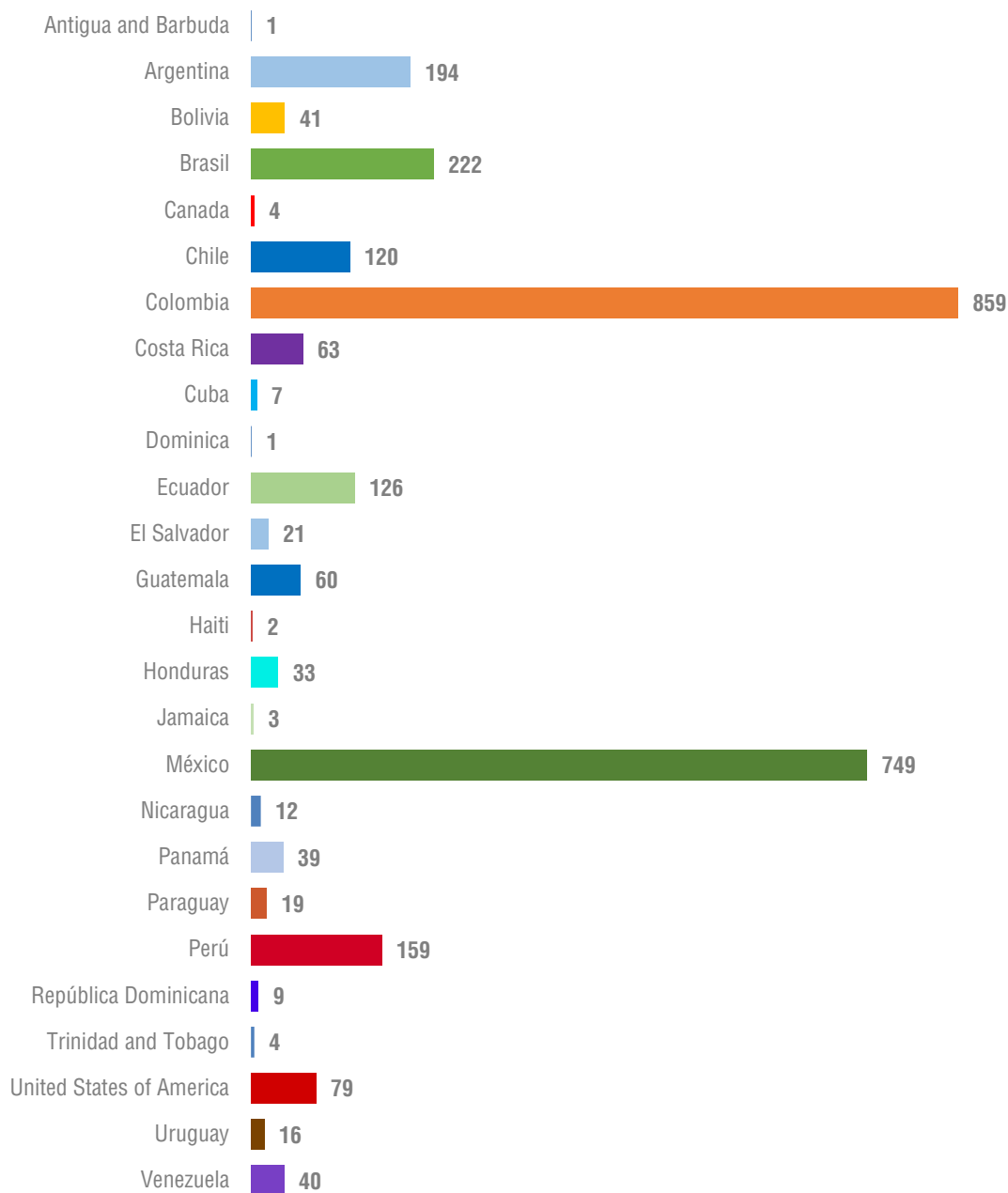
#### **G. Annual statistics most representative of the Commission's work**

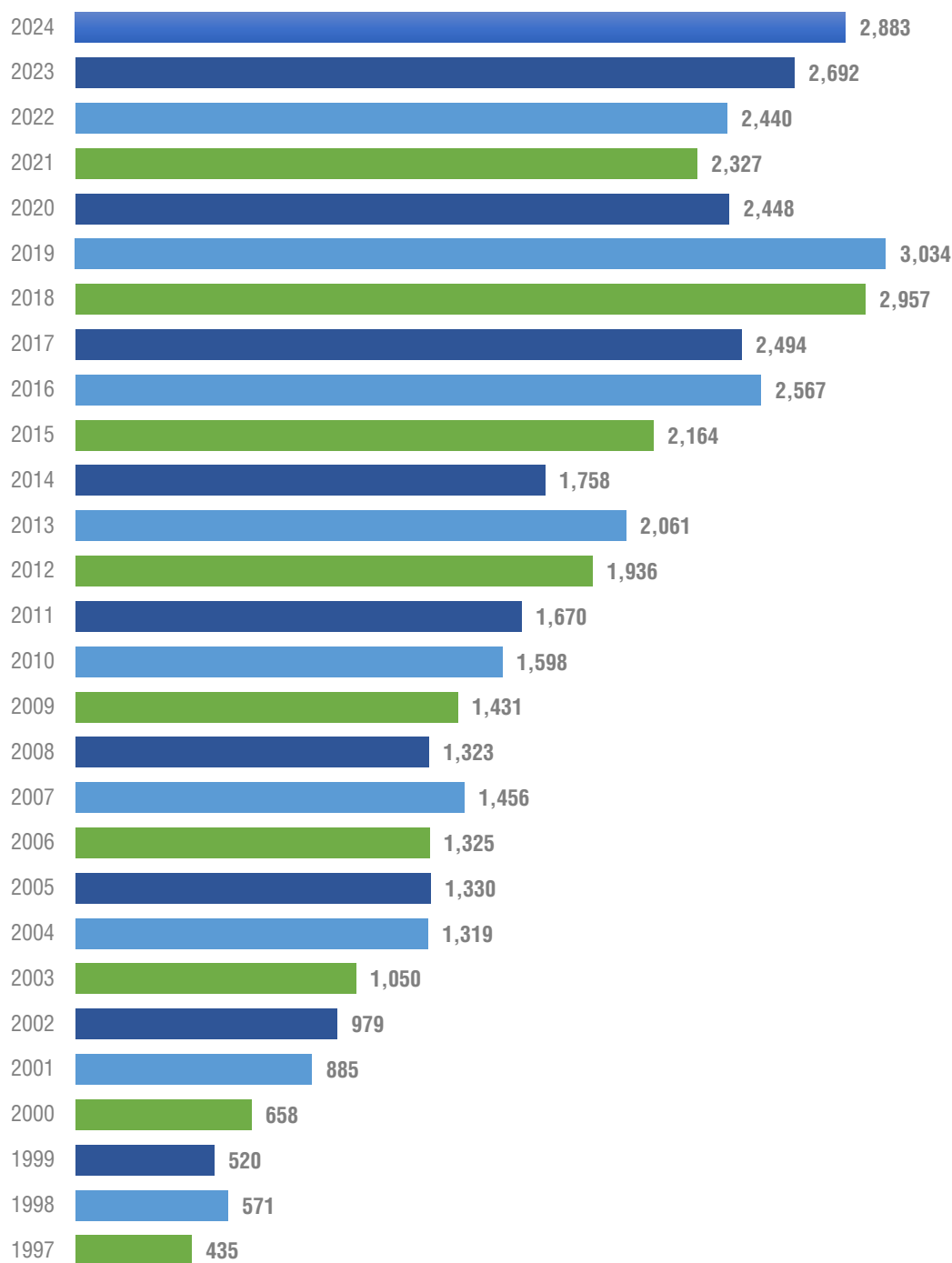
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<sup>217</sup> IACHR, [Press Releases on Precautionary Measures](#), 2024. See also: IACHR, [Press Release 219/24](#), IACHR Condemns Assassination of Environmental Defender Juan López in Honduras, September 18, 2024; [Press Release 319/24](#), IACHR issues urgent alert regarding precautionary measures in the aftermath of the elections in Venezuela, December 17, 2024.

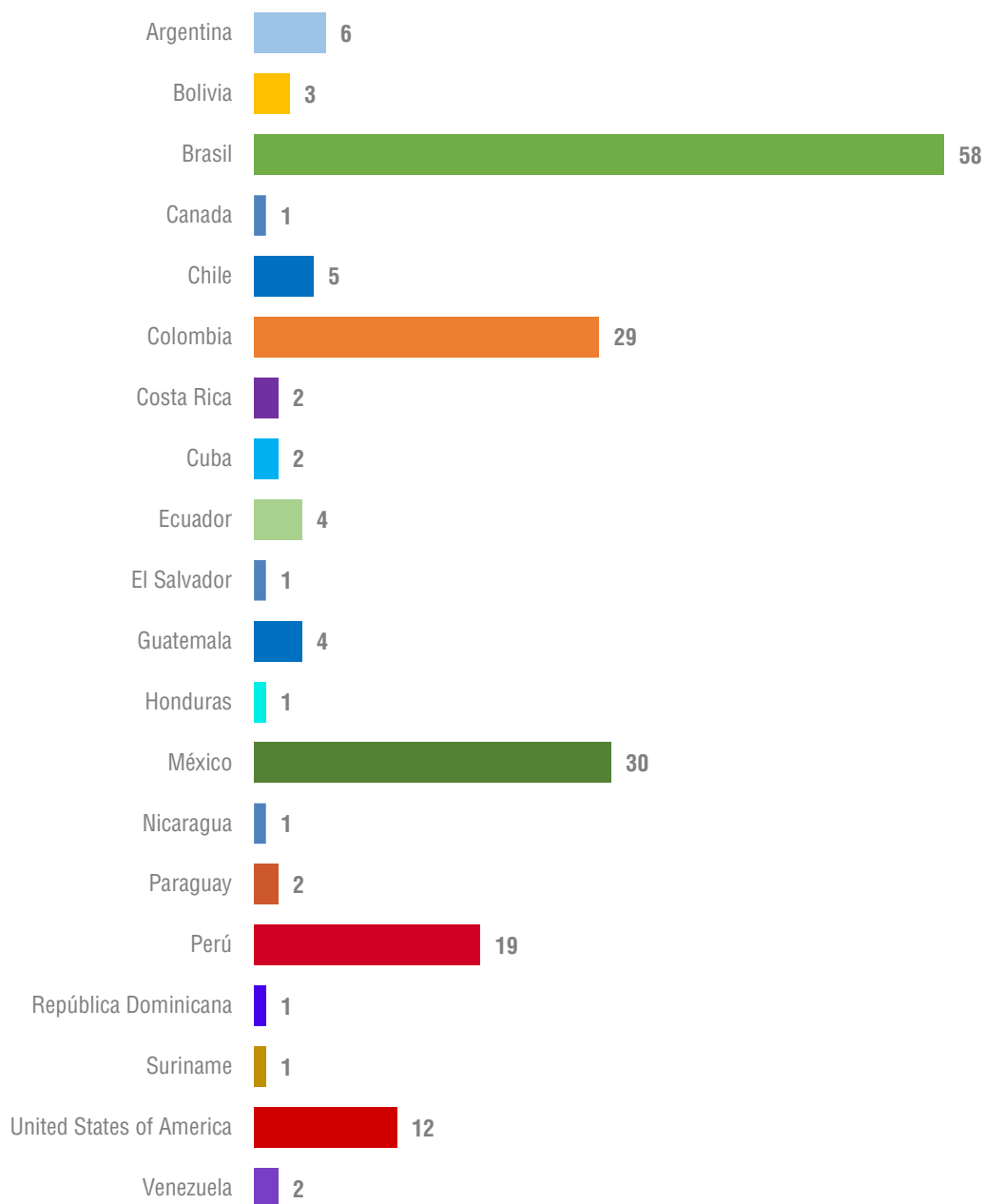
<sup>218</sup> IACHR, [Press Release 269/24](#), IACHR urges the United States to refrain from applying the death penalty on Richard Moore, beneficiary of precautionary measures, October 30, 2024; [Press Release 281/24](#), IACHR condemns execution of Richard Moore, sentenced to death penalty in United States, November 8, 2024.

## Petitions received by country

**Total: 2,883**

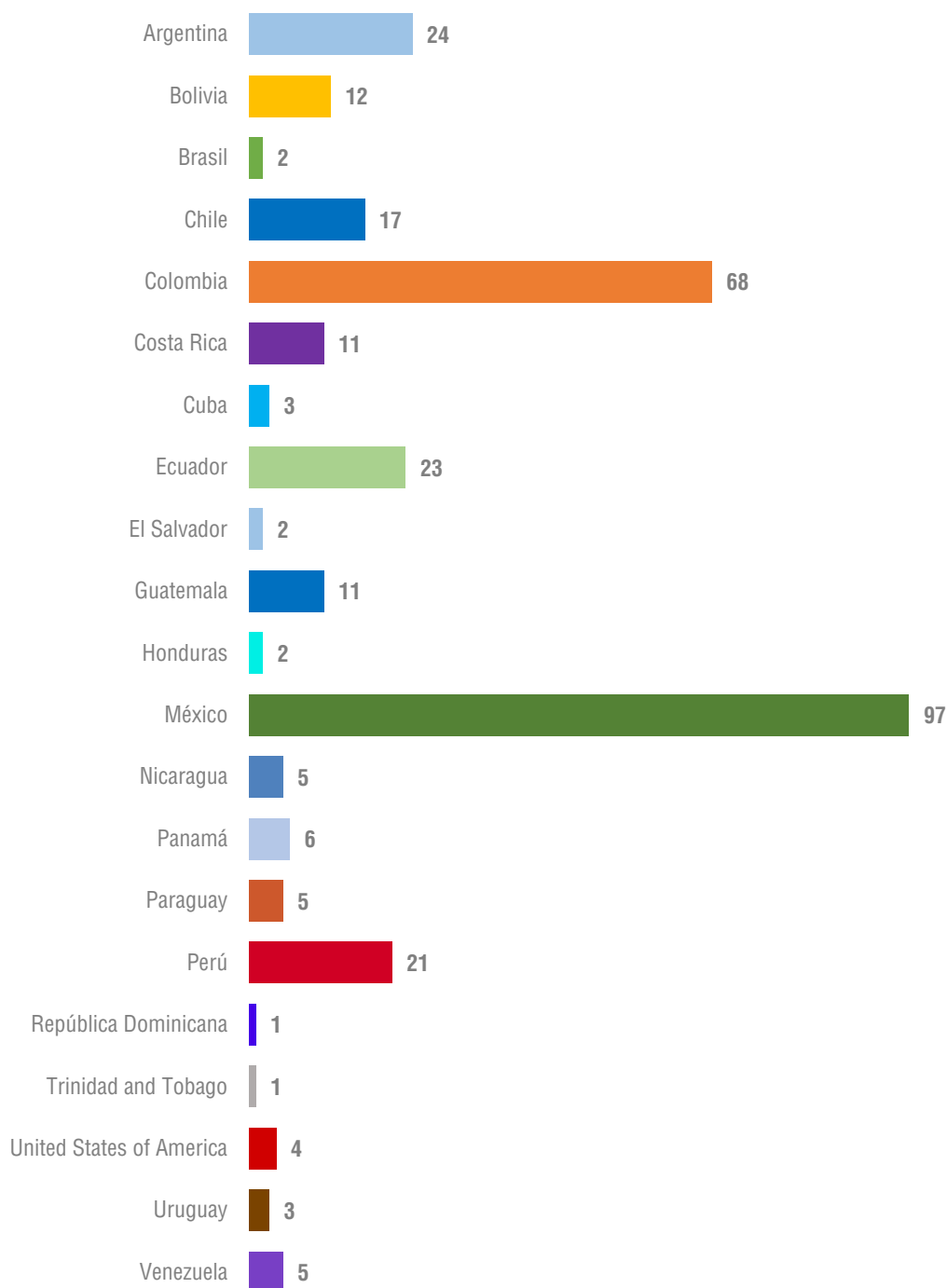
Petitions received  
**by Year**

## Petitions pending initial review by country

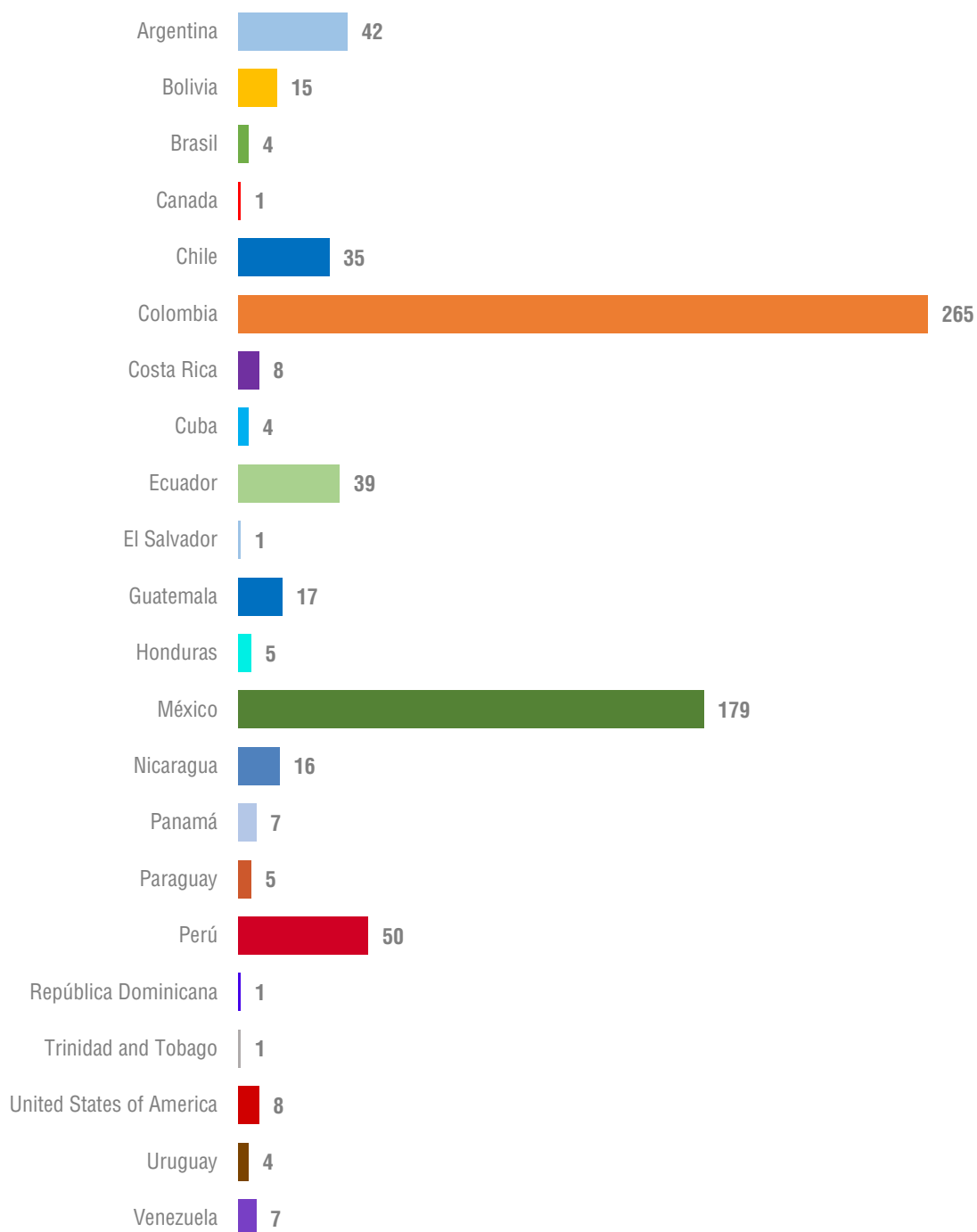
**Total: 184**

**Note:** These figures correspond to requests before 2024 pending initial study.

## Decisions to open for processing by country

**Total: 323**

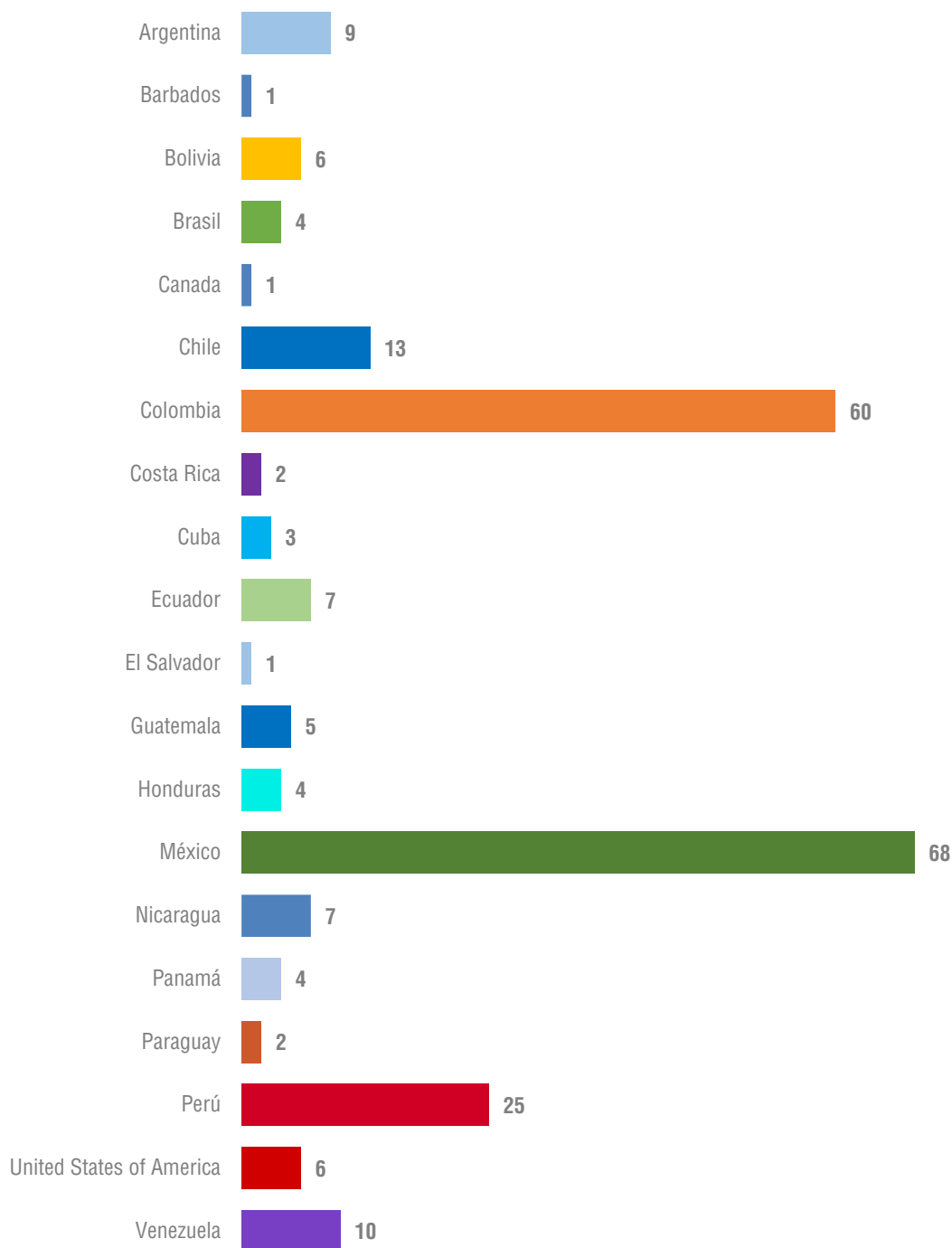
## Notified decisions to open for processing

**Total: 714**

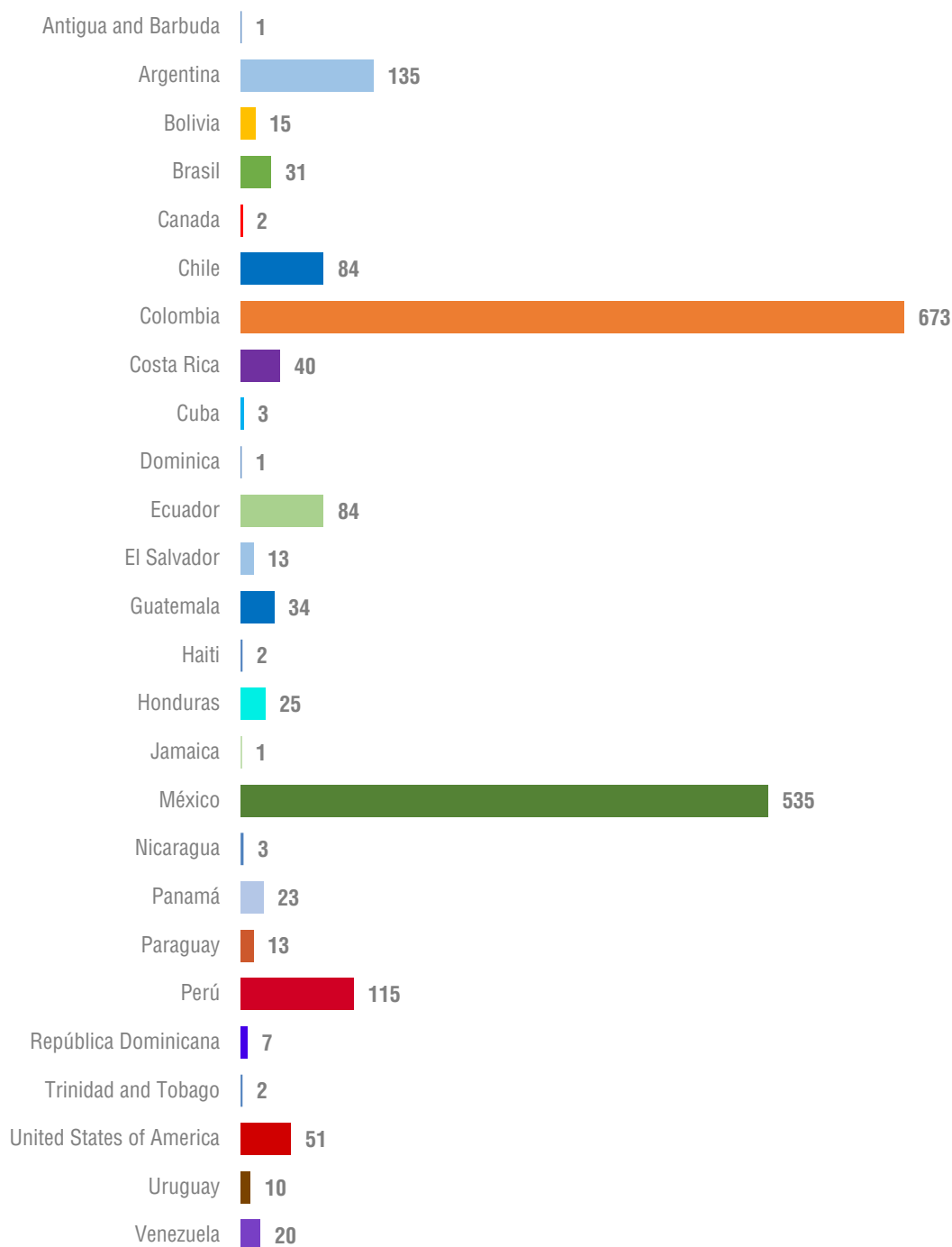


Petitions opened for processing,  
pending notification to the State

**Total: 238**

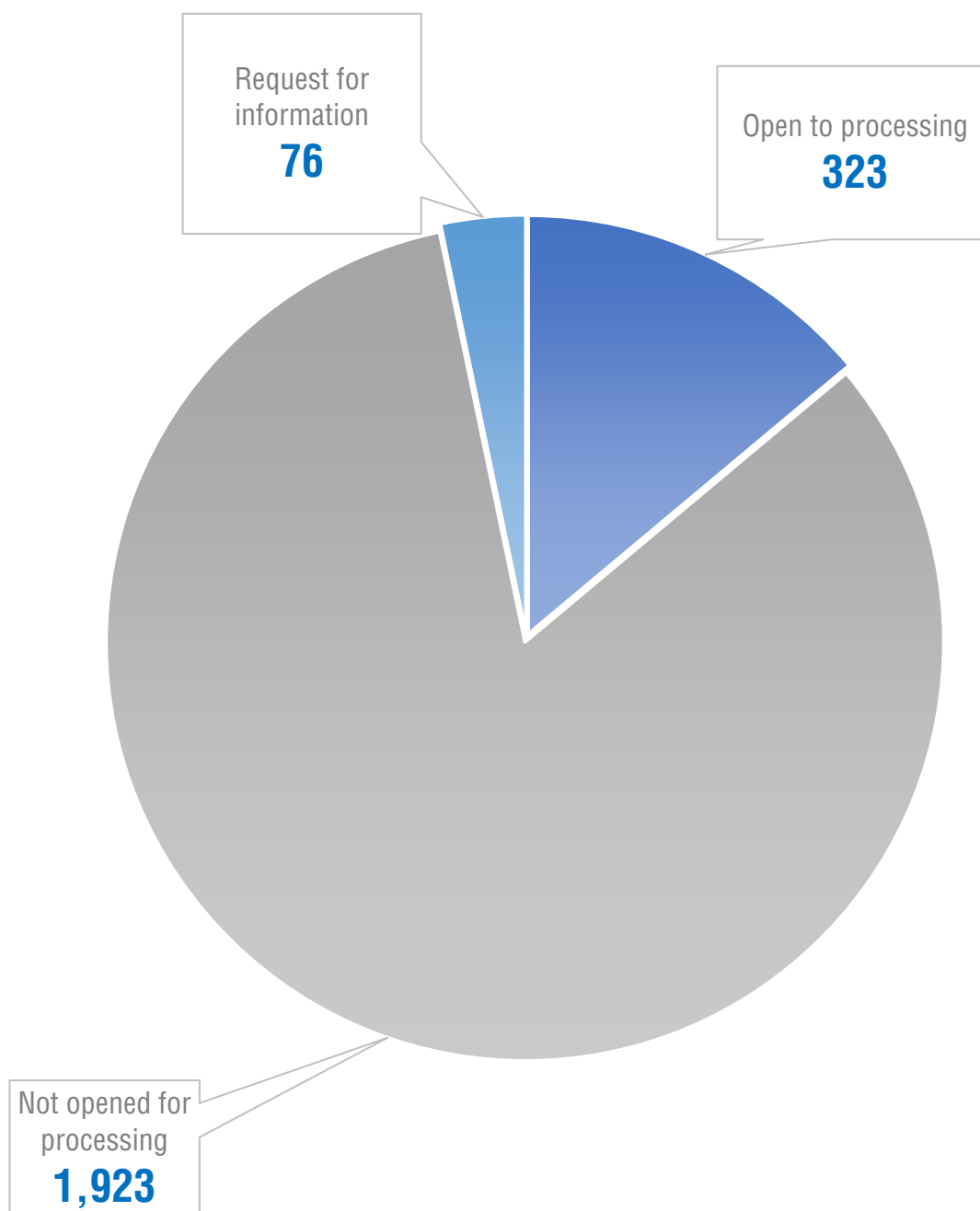


## Petitions not opened for processing

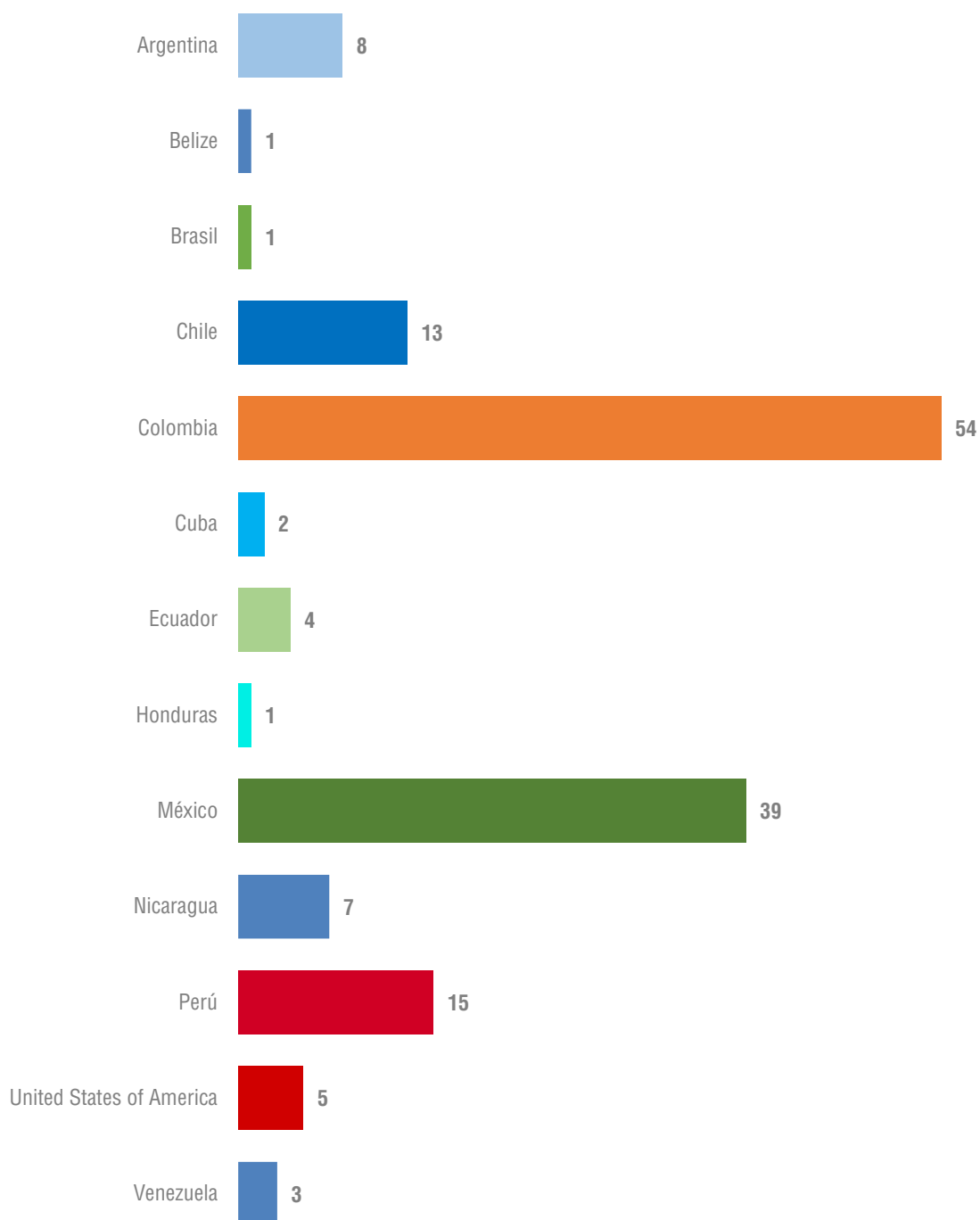
**Total: 1,923**

Decisions taken regarding petitions  
in the initial review stage

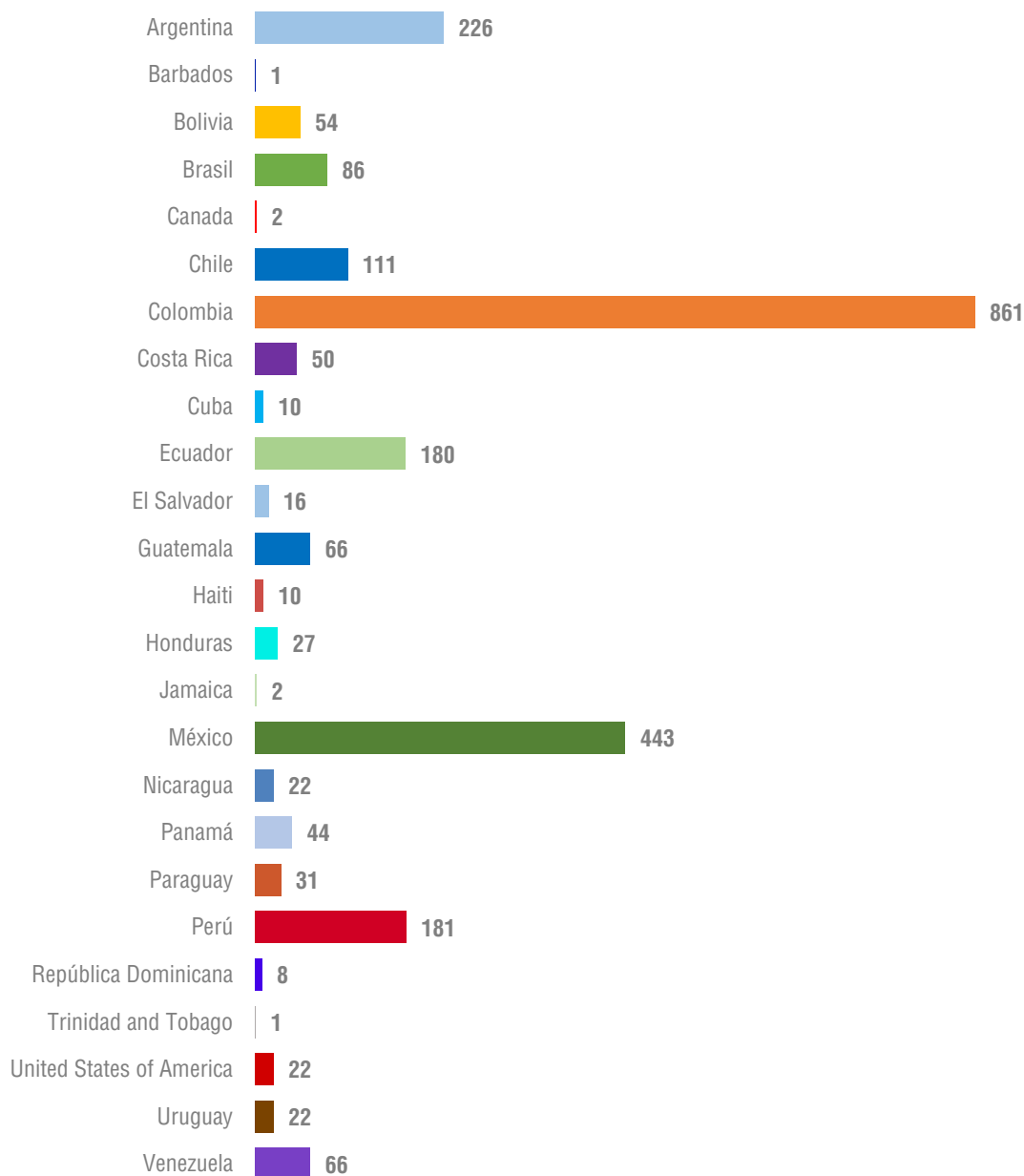
**TOTAL: 2,322**



## Petitions archived in the initial review stage

**Total: 153**

## Petitions in admissibility at end of year

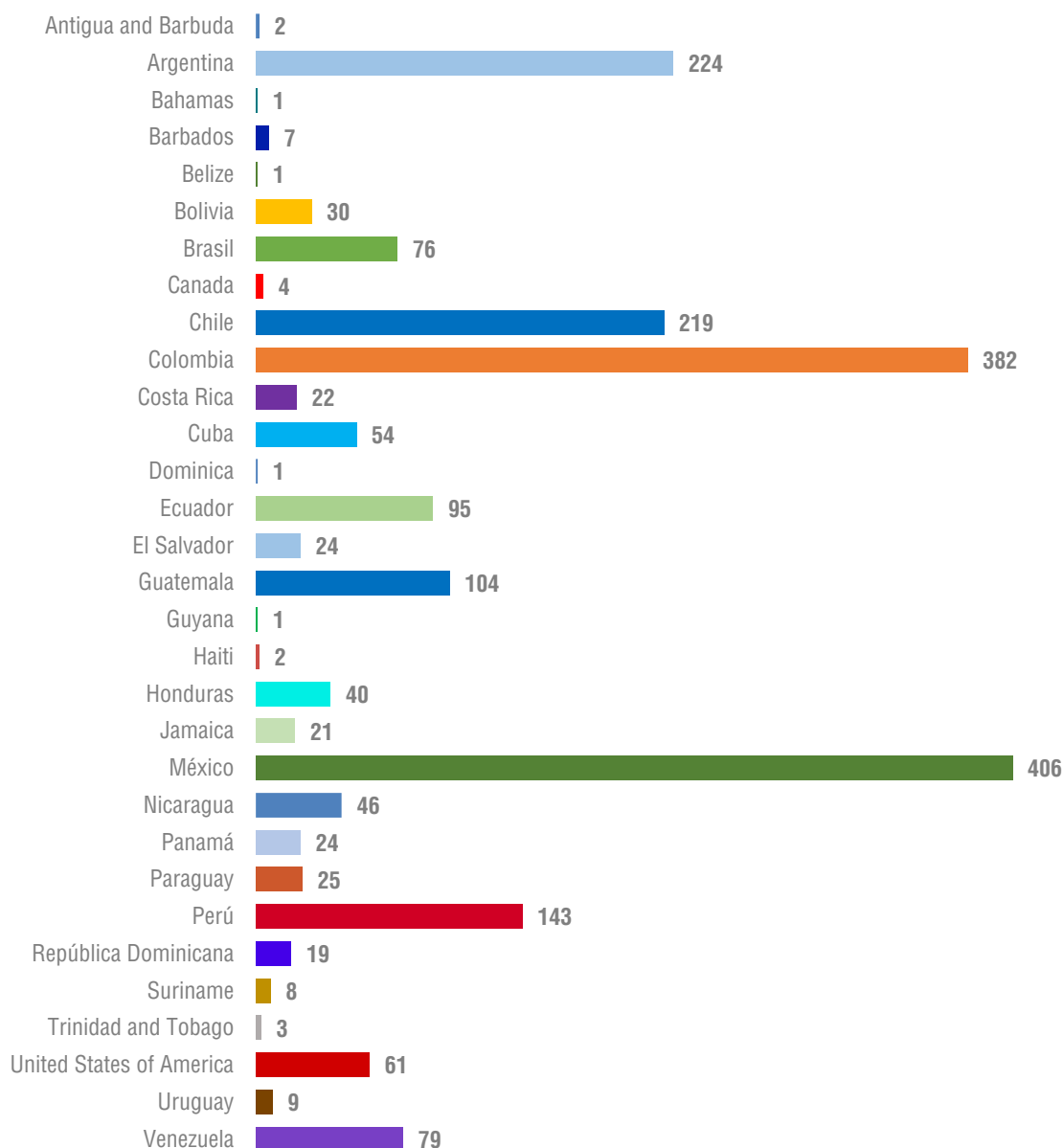
**Total: 2,542**

**Note:** Petitions in the admissibility stage are those currently being processed. That is, those transmitted to the State in accordance with Article 30 of the **IACHR** Rules of Procedure.

This graph does not include petitions at the admissibility stage that are in the friendly settlement procedure, as provided for in Article 40 of the aforementioned Rules of Procedure.

### Cases in merits at end of year

**Total: 2,133**

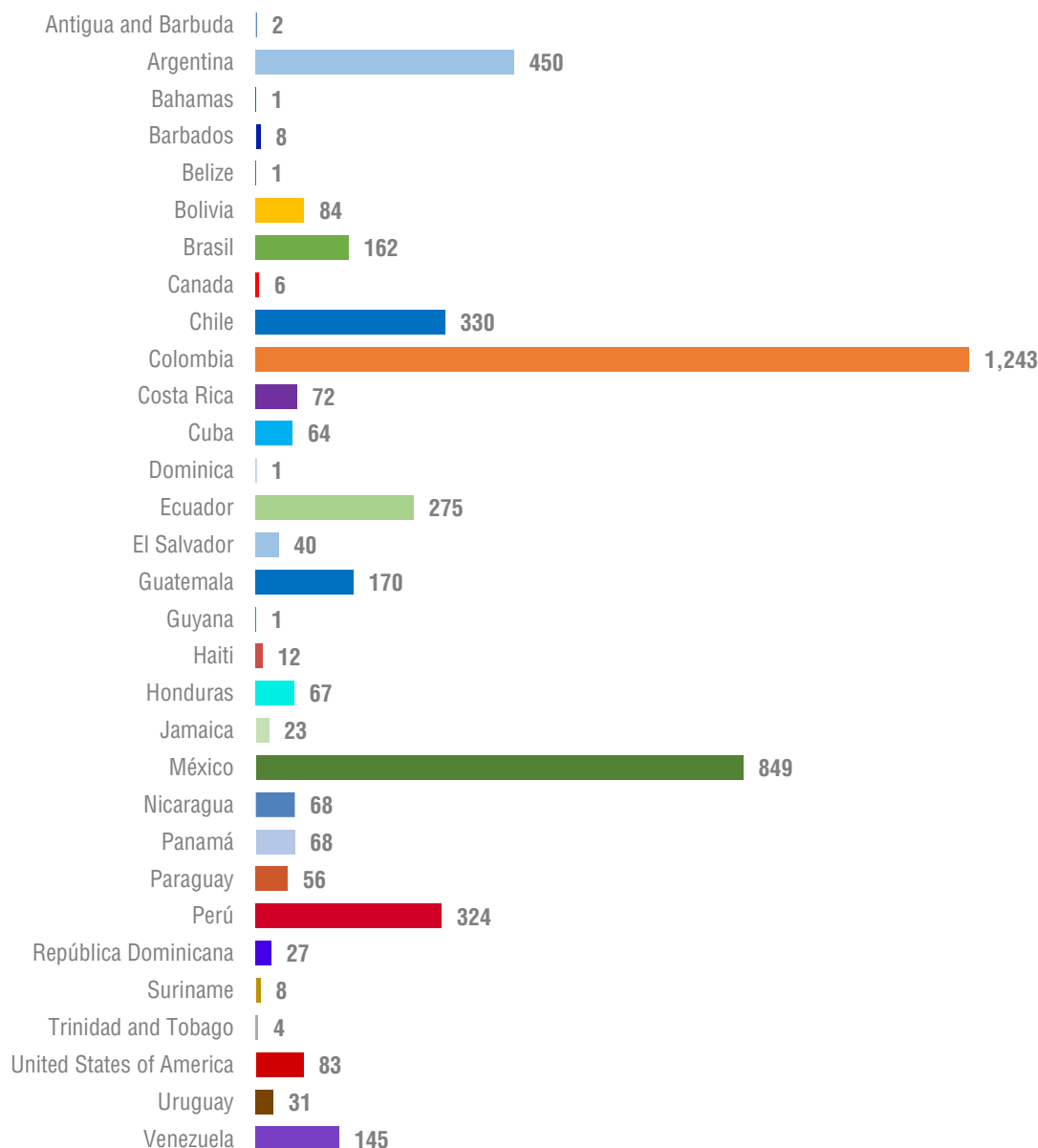


**Note:** Cases in the merits stage include cases that are in process. That is, those in which the **IACHR** ruled on their admissibility or decided to defer the treatment of admissibility until the debate and decision on the merits, in accordance with Article 36 of the **IACHR** Rules of Procedure.

This graph does not include cases at the merits stage that are in the friendly settlement, as provided for in Article 40 of the aforementioned Rules of Procedure.

### Petitions and cases in admissibility and merits

**Total: 4,675**

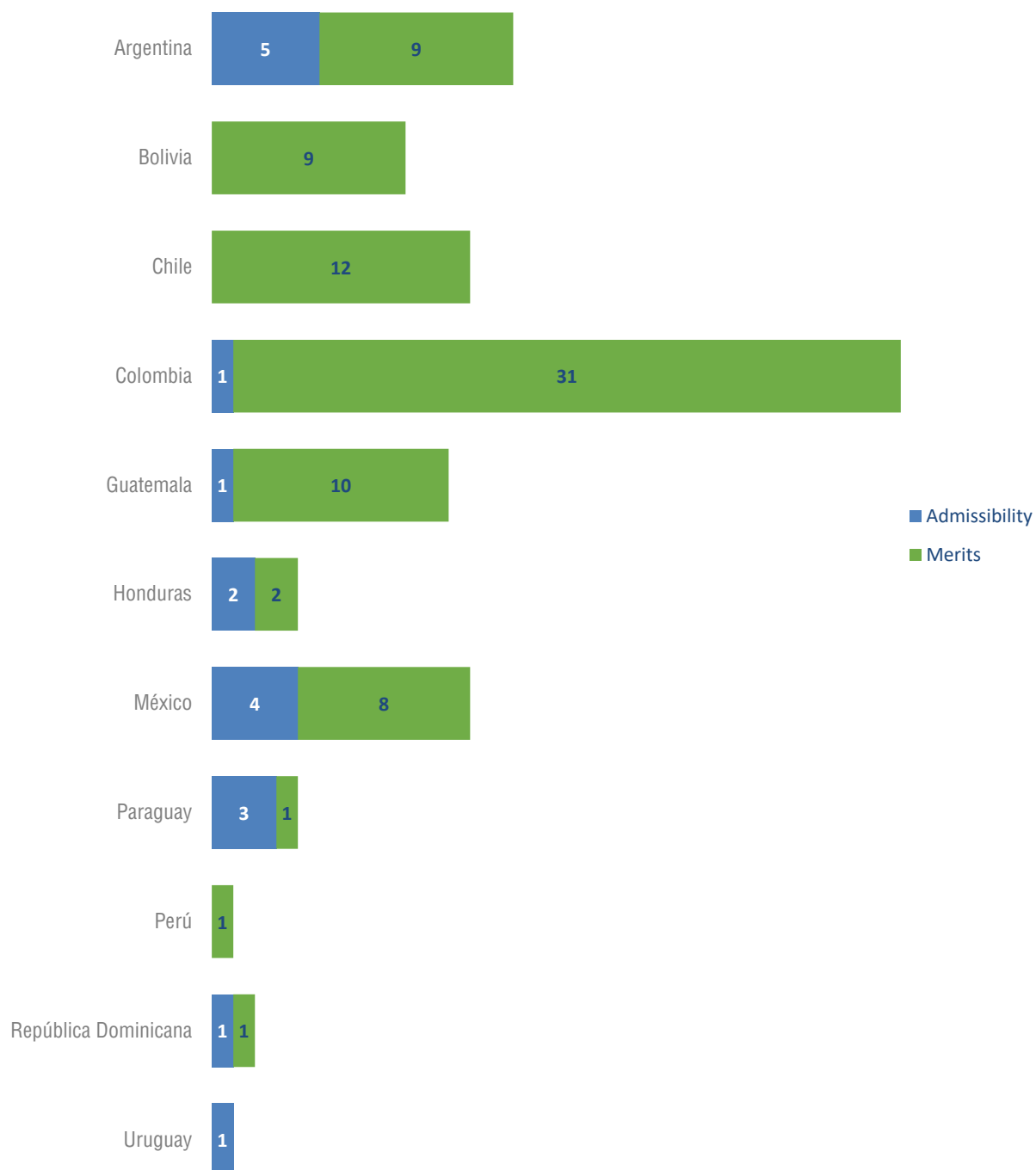


**Note:** Admissibility is the stage when the **IACHR** determines whether a petition meets the requirements set forth in Articles 46 and 47 of the American Convention. The merits stage is when the **IACHR** decides on the merits of the case, pursuant to the procedure established in Articles 48 and 50 of the American Convention on Human Rights.



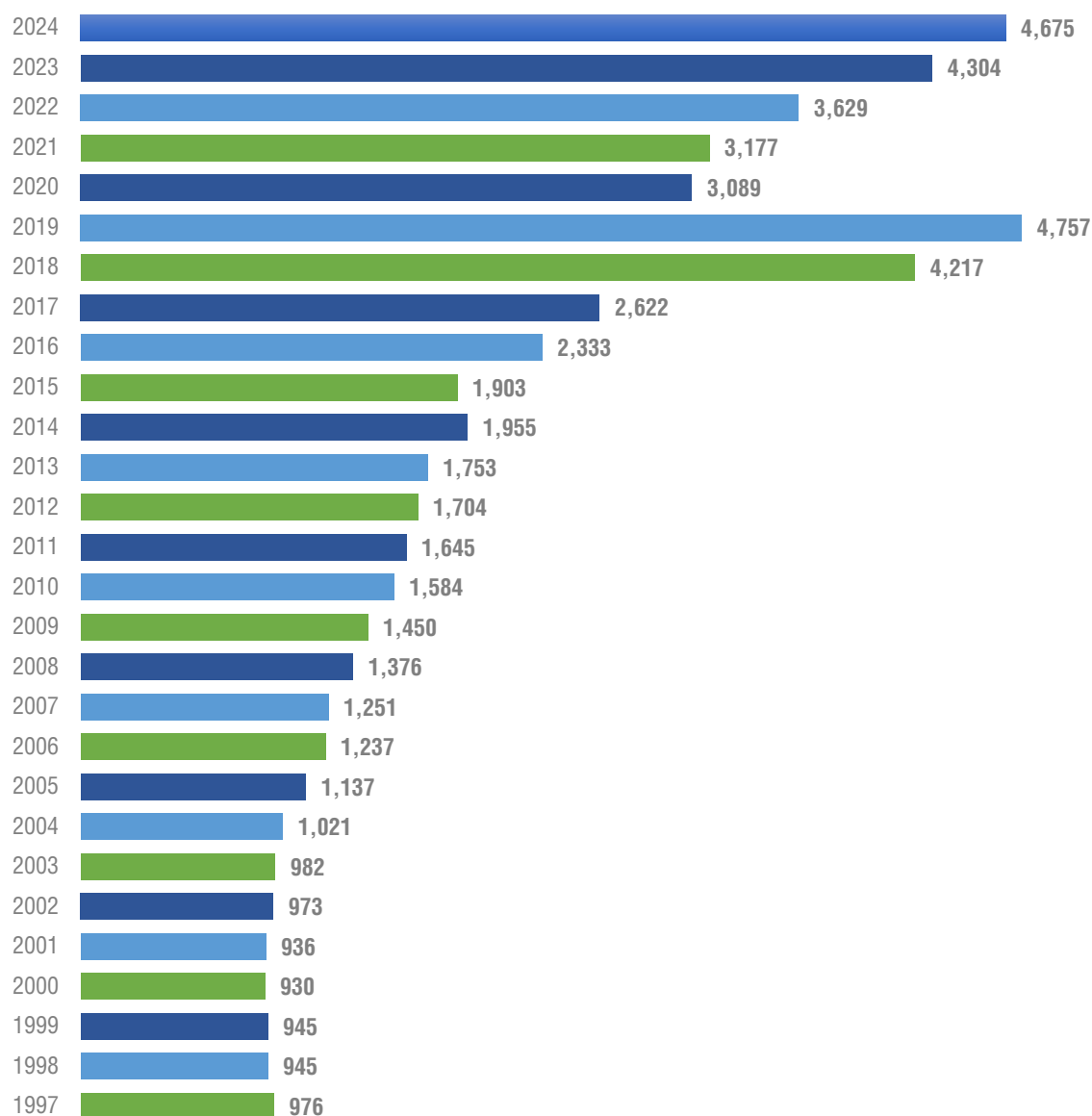
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This graph includes matters at the admissibility and merits stages in contentious proceedings, omitting those in the friendly settlement, as provided for in Article 40 of the aforementioned Rules of Procedure.

Petitions and cases in friendly settlement procedure  
at end of year**Total: 102**

## Case docket at the end of every year

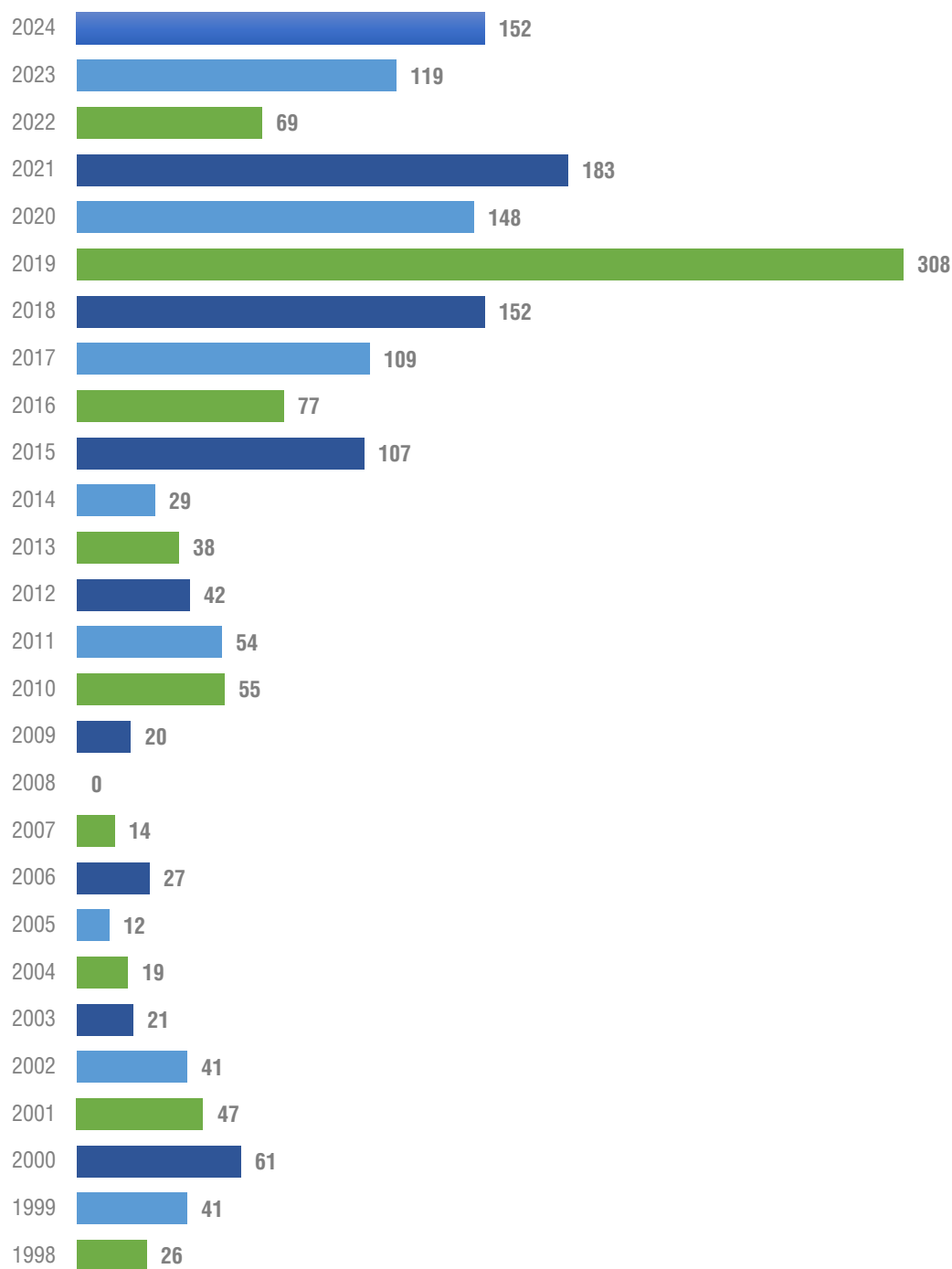
### Admissibility and Merits



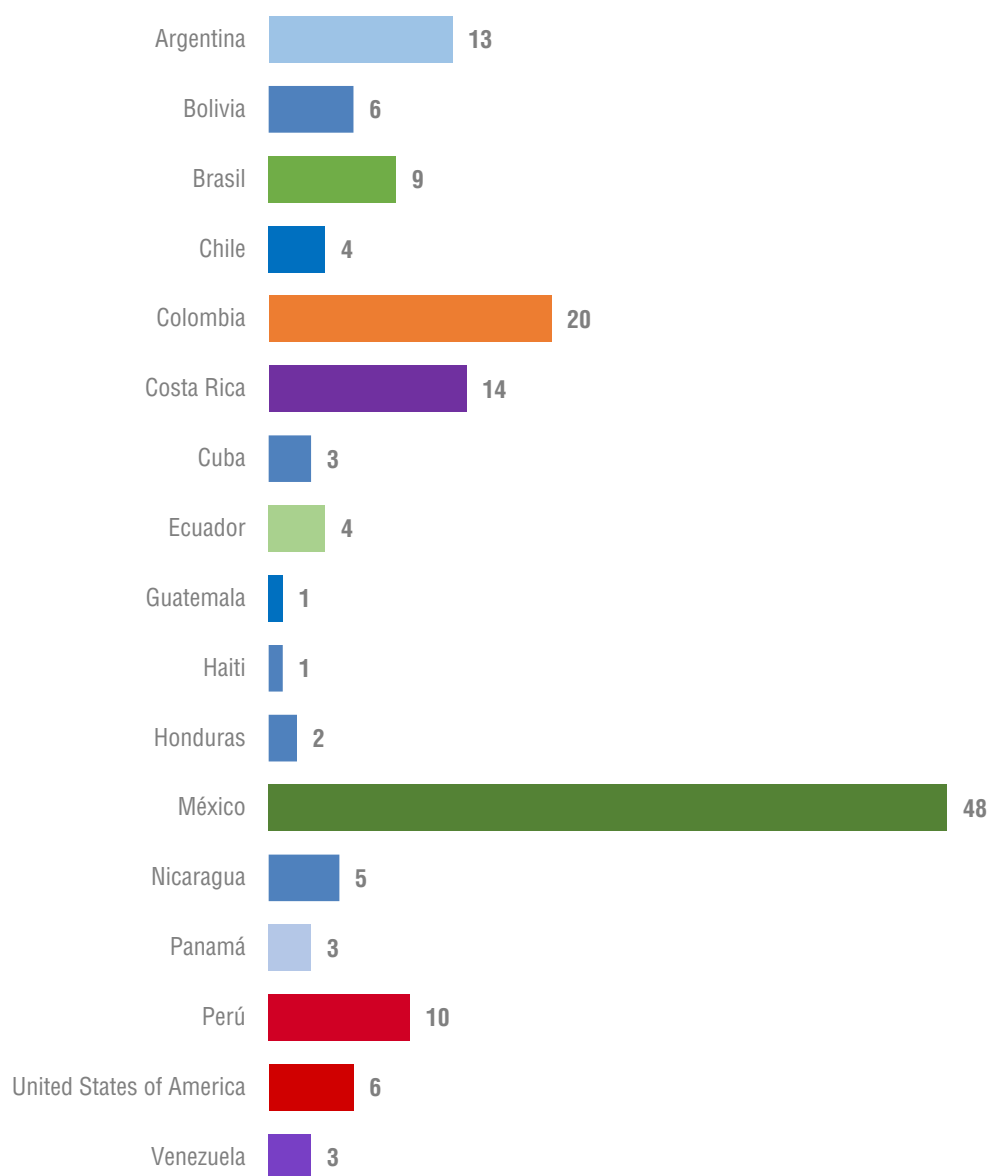
**Note:** The figures for 2018 and 2019 correspond to those reported in the Annual Reports of the respective years, which include both the petitions that were effectively notified to the State, in accordance with Article 30 of the **IACHR** Rules of Procedure, and those with a decision to open to processing, that were still pending notification to the State. The latter are not considered in the reports for the other years.

This chart includes cases in the admissibility and merits stages under contentious proceedings, omitting those in friendly settlement, as provided in Article 40 of the aforementioned Rules of Procedure.

## Petitions and cases archived by Year

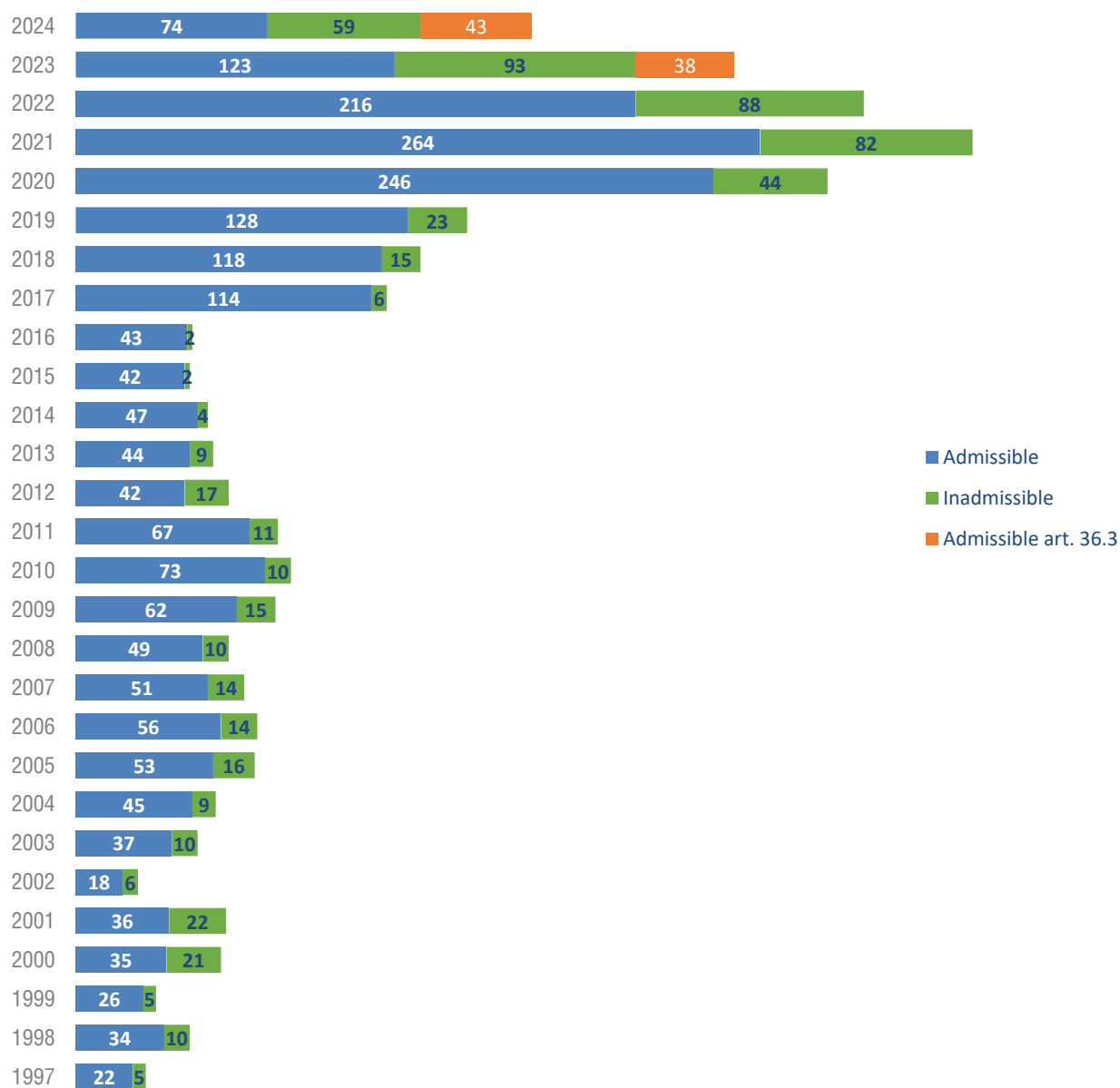


## Petitions and cases archived by country

**Total: 152**

**Note:** This graph shows petitions in the admissibility stage and cases in the merits stage that have been archived (closed), in accordance with Article 42 of the **IACHR** Rules of Procedure. Prior to the adoption of a decision to archive by the Commission, the Executive Secretariat requests the petitioner to submit the required information and notifies them of the possibility of a decision to archive. Likewise, the Executive Secretariat identifies cases in which the petitioner has expressed interest in withdrawing the petition or case, as provided in Article 41 of the **IACHR** Rules of Procedure.

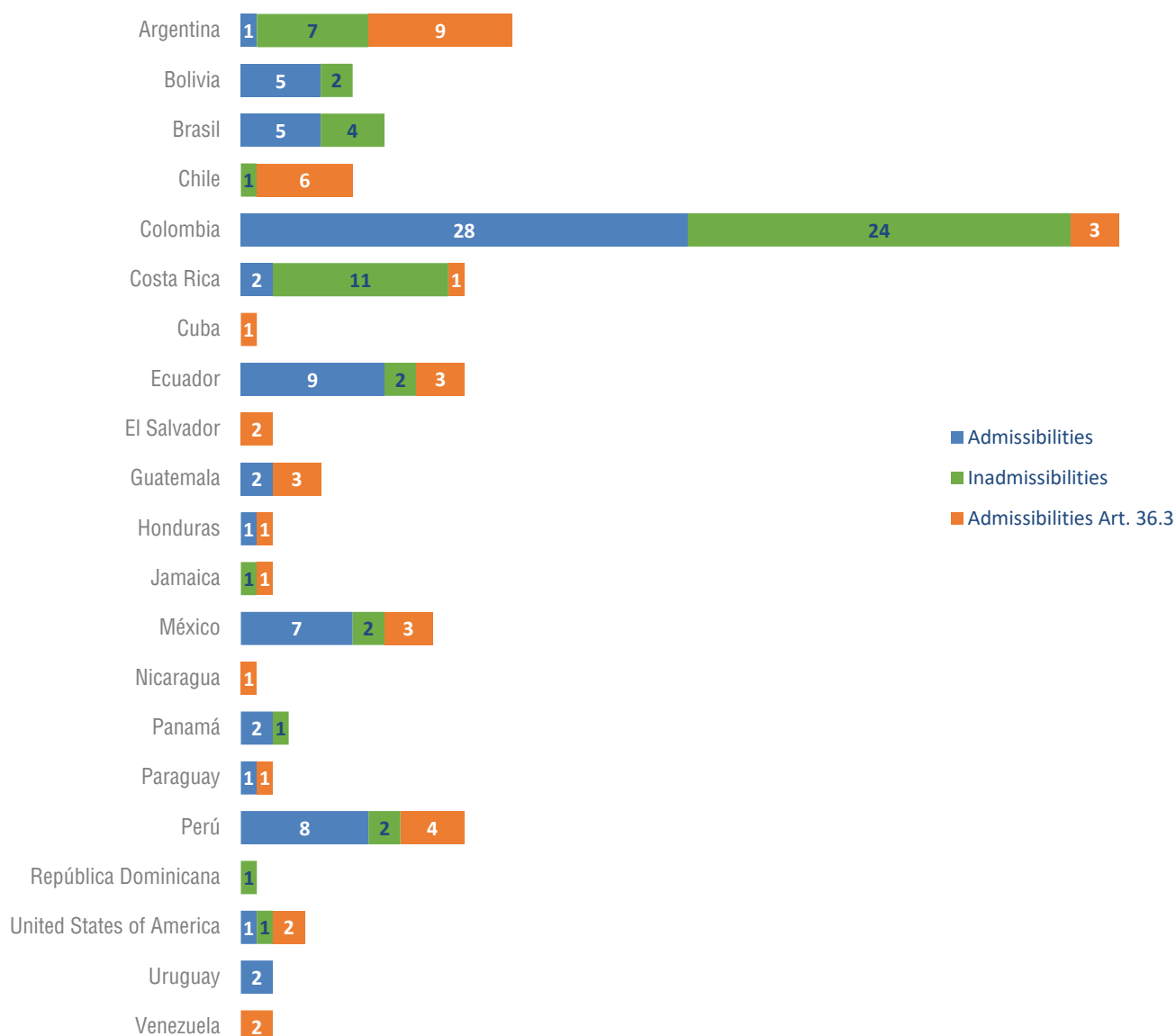
## Decisions on admissibility adopted by Year



**Note:** Admissibility is the stage in which the **IACHR** determines if a petition meets the admissibility requirements set forth in Articles 46 and 47 of the American Convention on Human Rights, in accordance with the procedure established in Articles 30 and 36 of the Rules of Procedure of the Commission.

As of 2023, we included the decisions in which the admissibility treatment was deferred until the debate and decision on the merits, under article 36(3) of the **IACHR** Rules of Procedure.

## Decisions on admissibility adopted by country

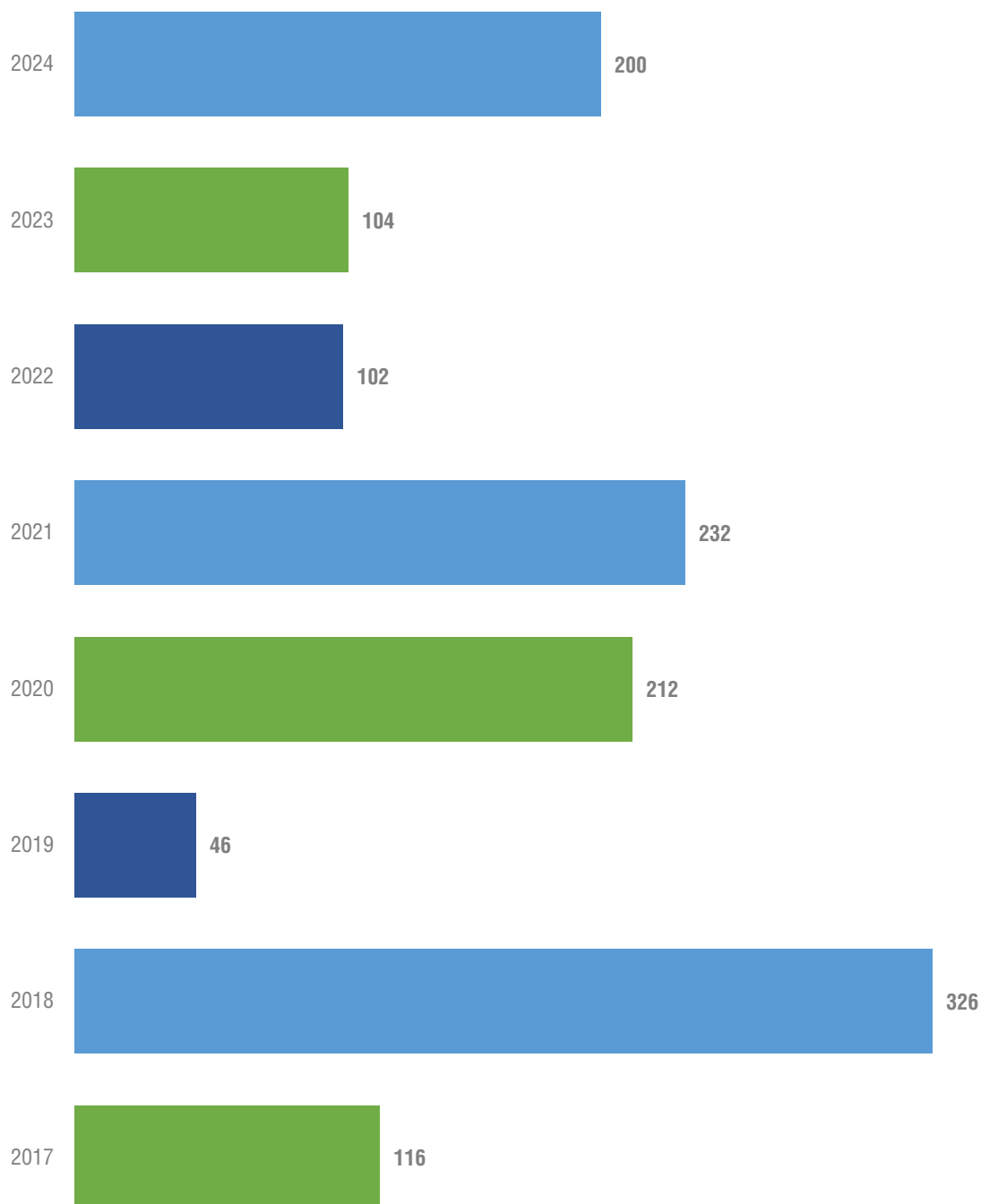
**Total: 176**

**Note:** Admissibility is the stage in which the **IACHR** determines if a petition meets the requirements set forth in Articles 46 and 47 of the American Convention. Merits is the stage in which the **IACHR** decides on the merits of the case pursuant to the procedure established in Articles 48 and 50 of the American Convention on Human Rights.

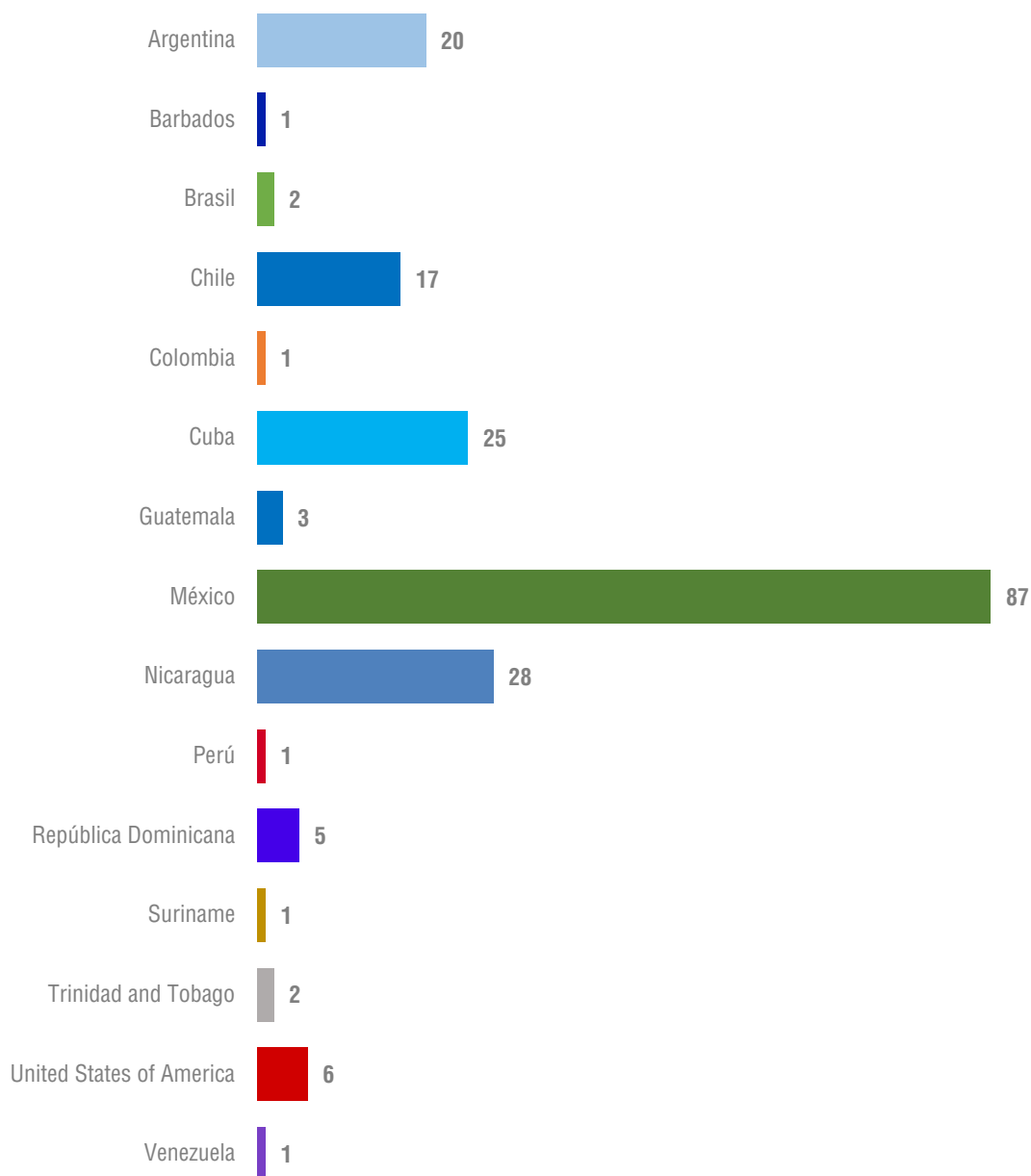
As of 2023, the decisions in which the admissibility treatment was deferred until the debate and decision on the merits under Article 36.3 of the Rules of Procedure of the Inter-American Commission are incorporated.



## Application of resolution 1/16 by Year

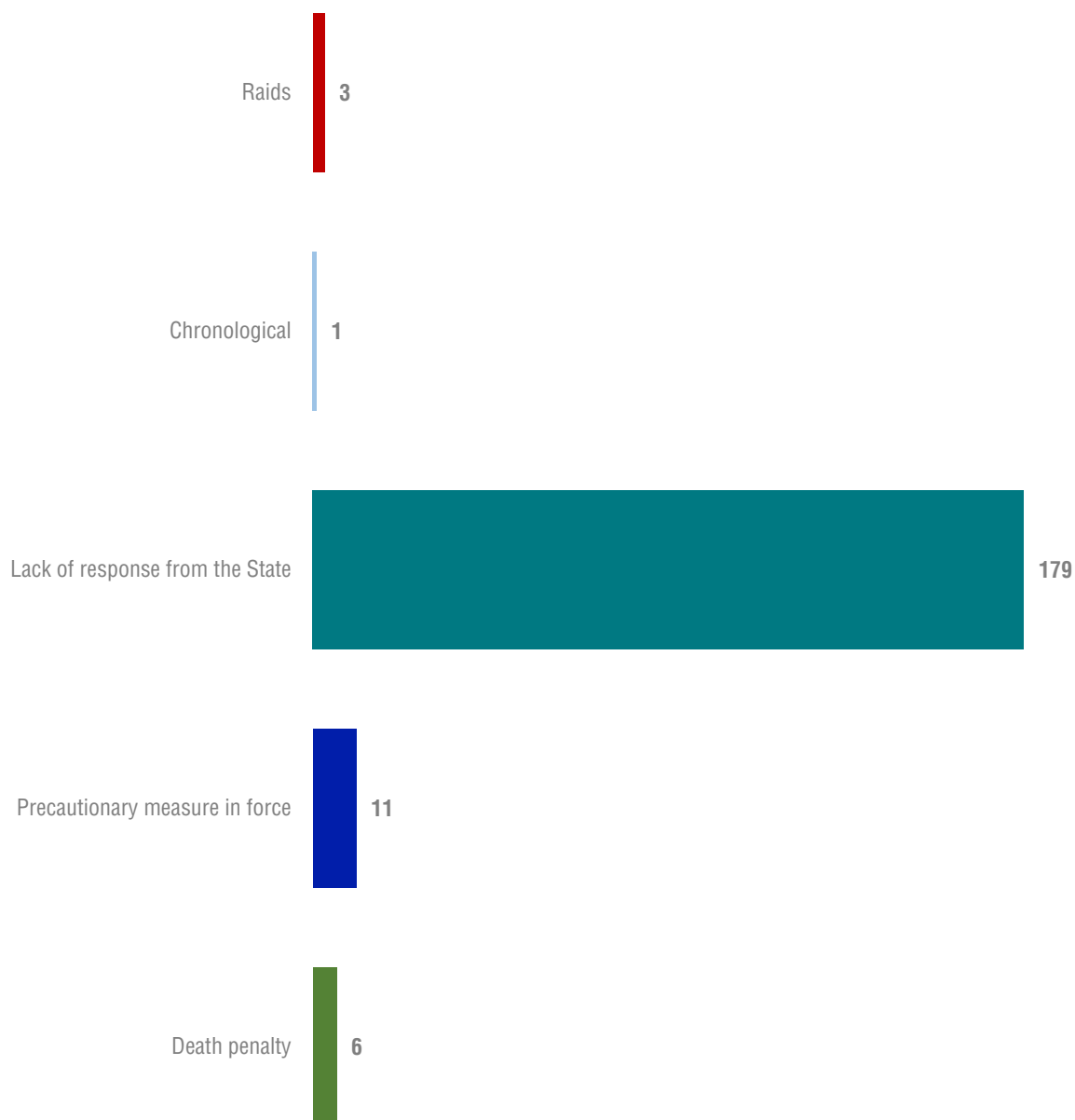


## Application of Resolution 1/16 by country

**Total: 200**

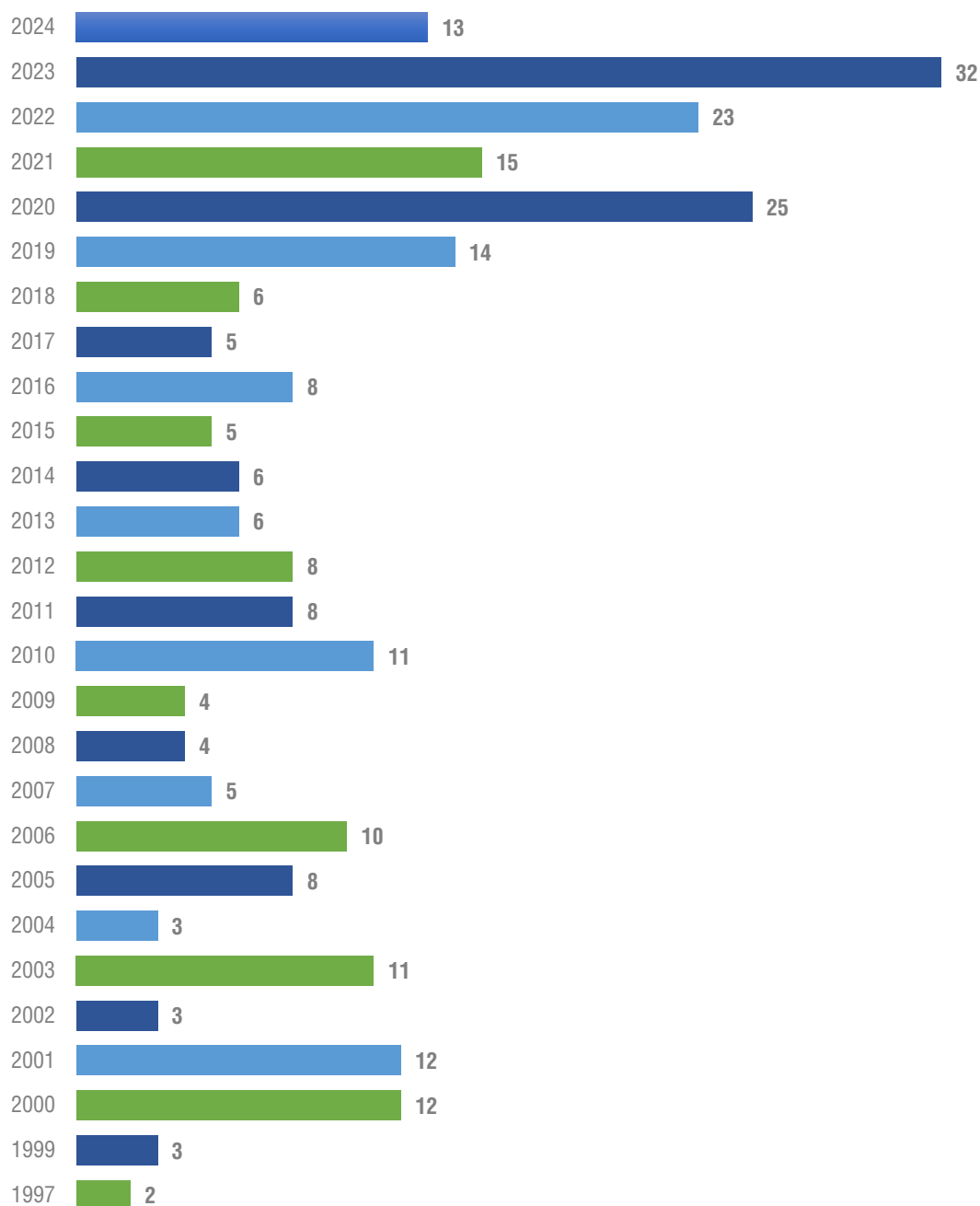
**Note:** This graph shows the number of petitions at the admissibility stage in which the parties were notified of the decision to defer the admissibility assessment until the debate and decision on the merits, as provided in Article 36.3 of the **IACHR** Rules of Procedure and in accordance with Resolution 1/16 on Measures to Reduce the Procedural Backlog.

## Application of Resolution 1/16 by category

**Total: 200**

**Note:** This year, no notifications were made based on the criterion of susceptibility to summary decision-making through the application of precedent from the **IACHR** and/or the Inter-American Court of Human Rights.

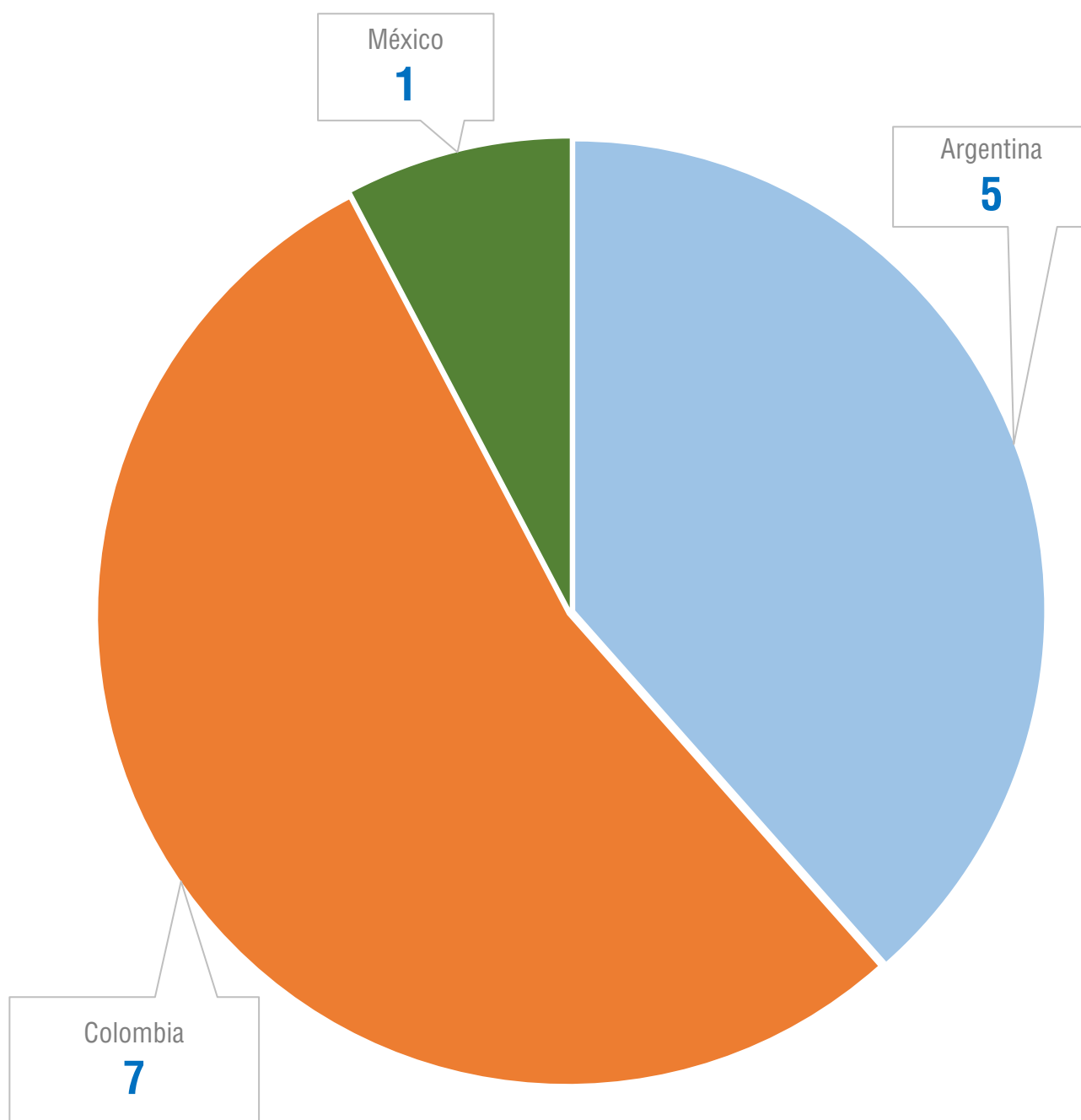
## Reports on friendly settlement published by Year



**Note:** A petition or case can, at any time in the admissibility or merits stage, enter into a friendly settlement process between the parties.

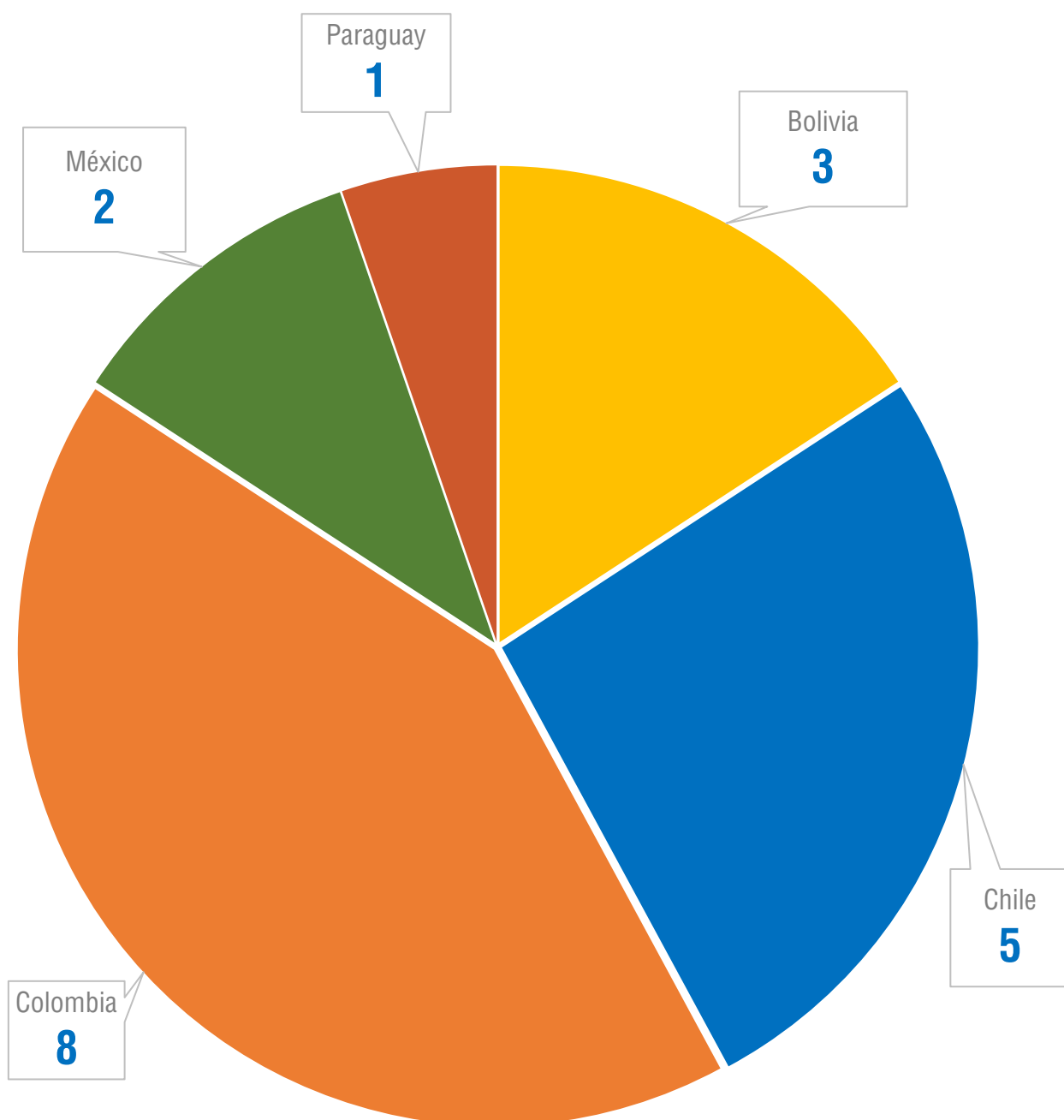
Reports on friendly settlement published by country

**Total: 13**

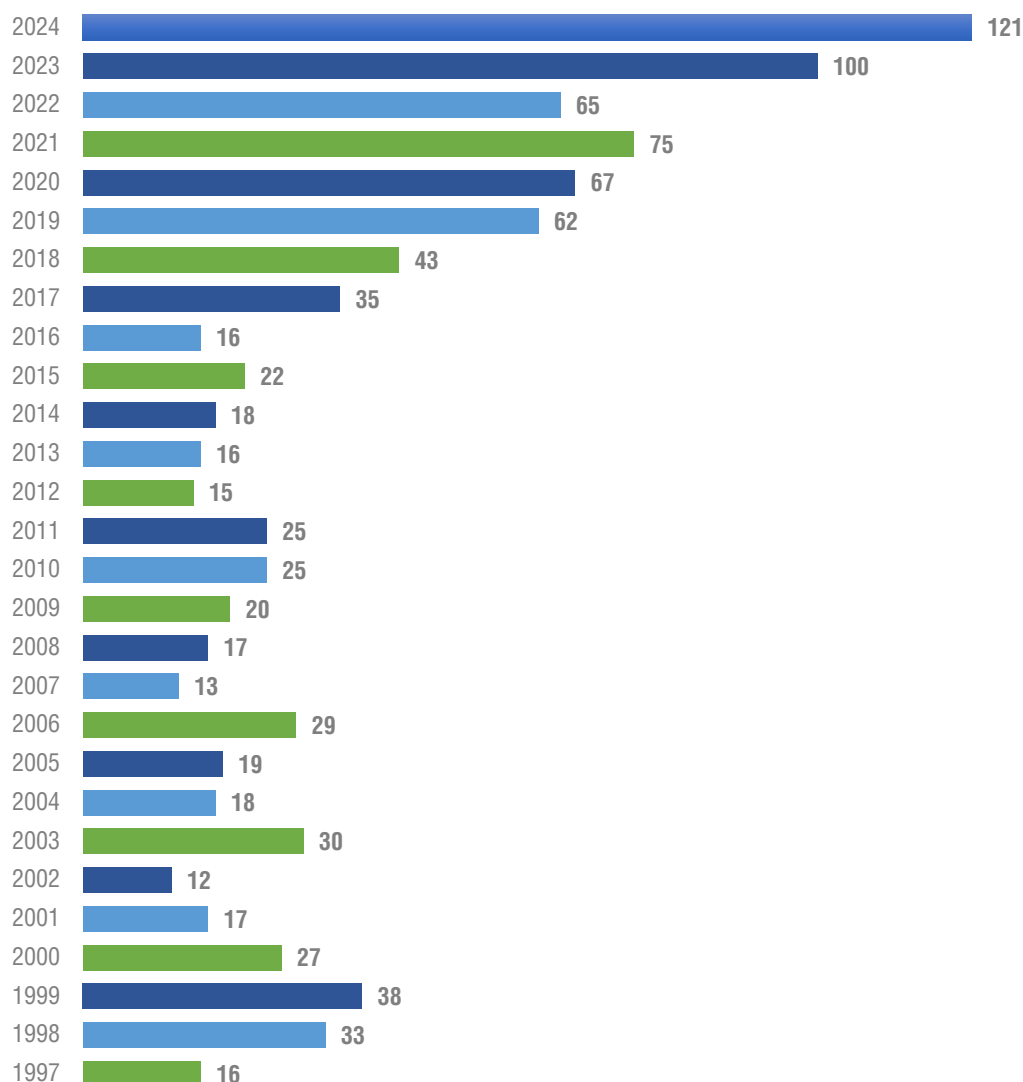


Friendly settlement agreements signed by country

**Total: 19**



## Reports on the merits approved by Year



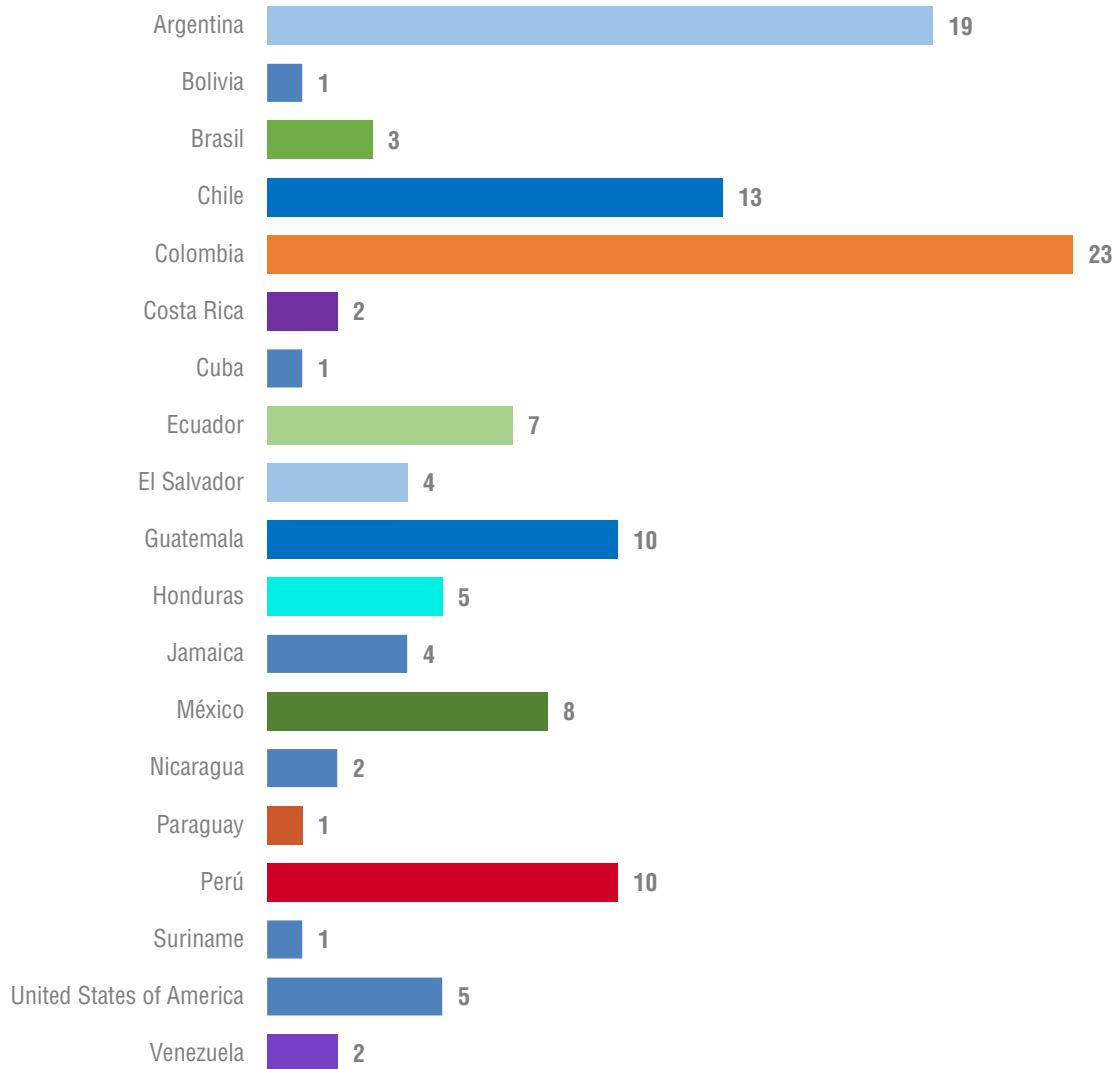
**Note:** Merits is the stage in which the **IACHR** decides on the merits of the case pursuant to the procedure established in Articles 48 and 50 of the American Convention on Human Rights and Articles 37, 38, 39, 43 and 44 of the Rules of Procedure of the Commission.

Of the total number of decisions on the merits presented in the graph **for 2024**, 43 correspond to decisions in which admissibility treatment was deferred until the discussion and decision on the merits under Article 36.3 of the Rules of Procedure of the Inter-American Commission.

The decisions on the merits presented in the graph include cases decided by the **IACHR** pending notification to the parties.



## Reports on the merits adopted by country

**Total: 121**

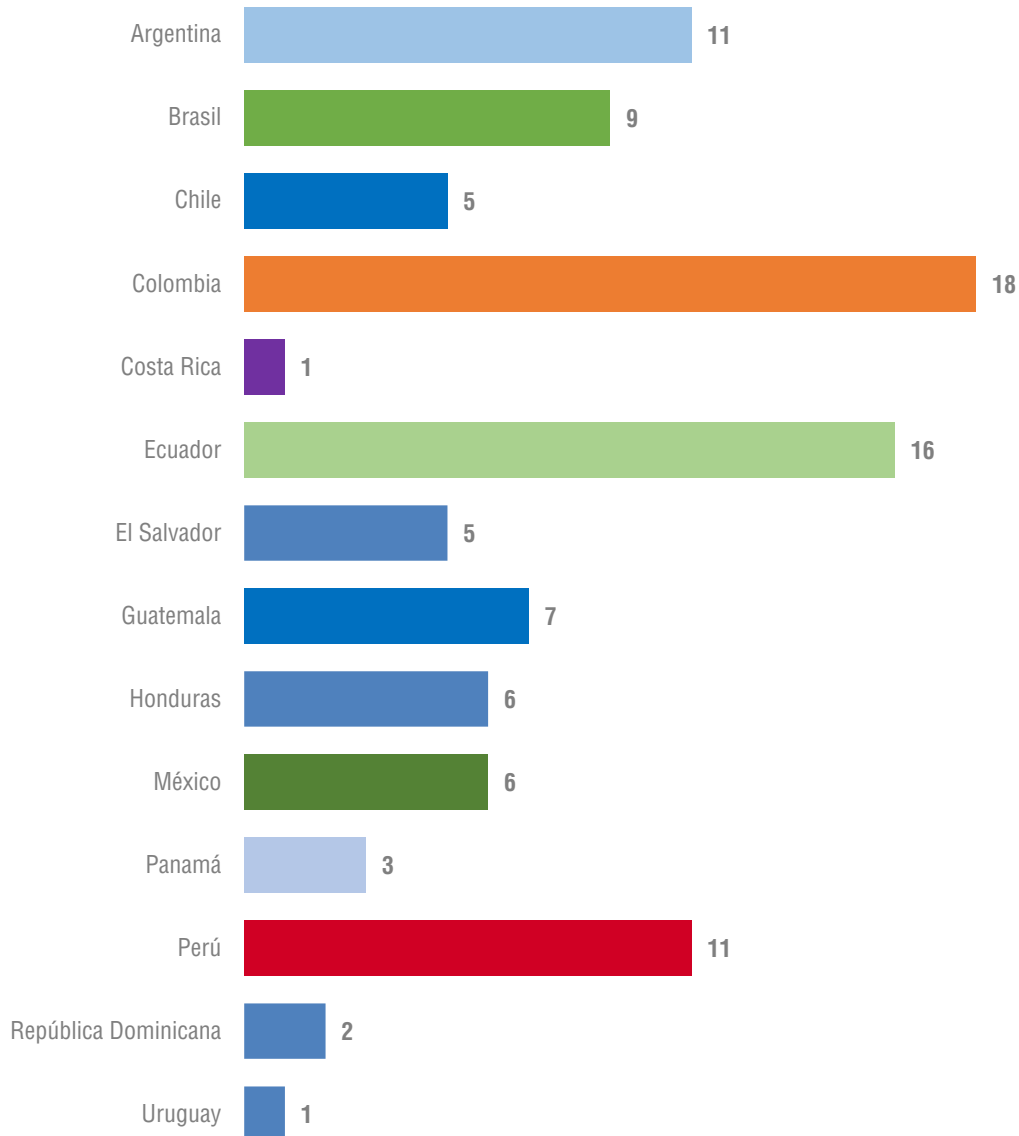
**Note:** Merits is the stage in which the **IACHR** decides on the merits of the case pursuant to the procedure established in Articles 48 and 50 of the American Convention on Human Rights and Articles 37, 38, 39, 43 and 44 of the Rules of Procedure of the Commission.

Of the total number of decisions on the merits presented in the graph **for 2024**, 43 correspond to decisions in which admissibility treatment was deferred until the discussion and decision on the merits under Article 36.3 of the Rules of Procedure of the Inter-American Commission.

The decisions on the merits presented in the graph include cases decided by the **IACHR** pending notification to the parties.

Cases pending a decision on whether to send to the I/A Court H.R.  
or proceed with the publication of the report by country

**Total: 101**

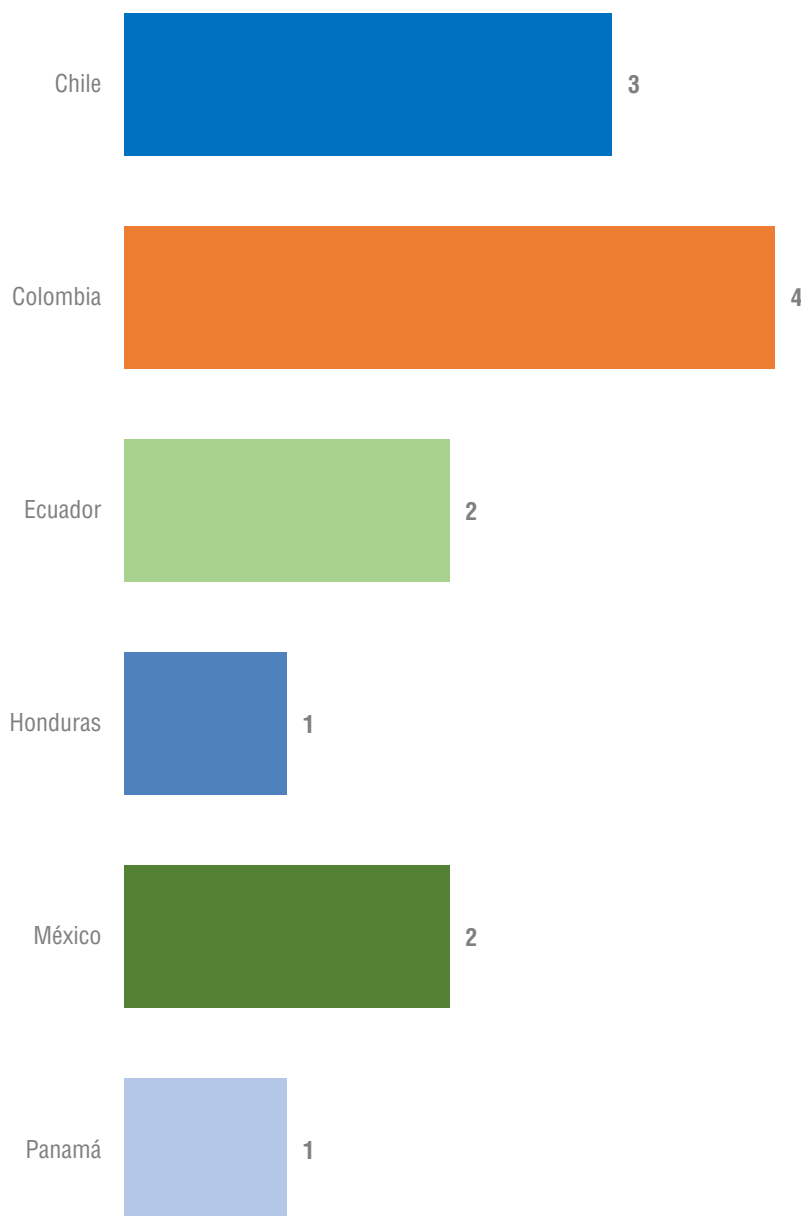


**Note:** The present graph shows the number of cases in relation to States that have accepted the contentious jurisdiction of the Inter-American Court of Human Rights, which are pending a decision on whether to send them to the Court or to not send and instead proceed with the publication of the report, as of December 31, 2024.

The graph does not include cases with a report approved in accordance with Article 50 of the Convention that are pending notification.

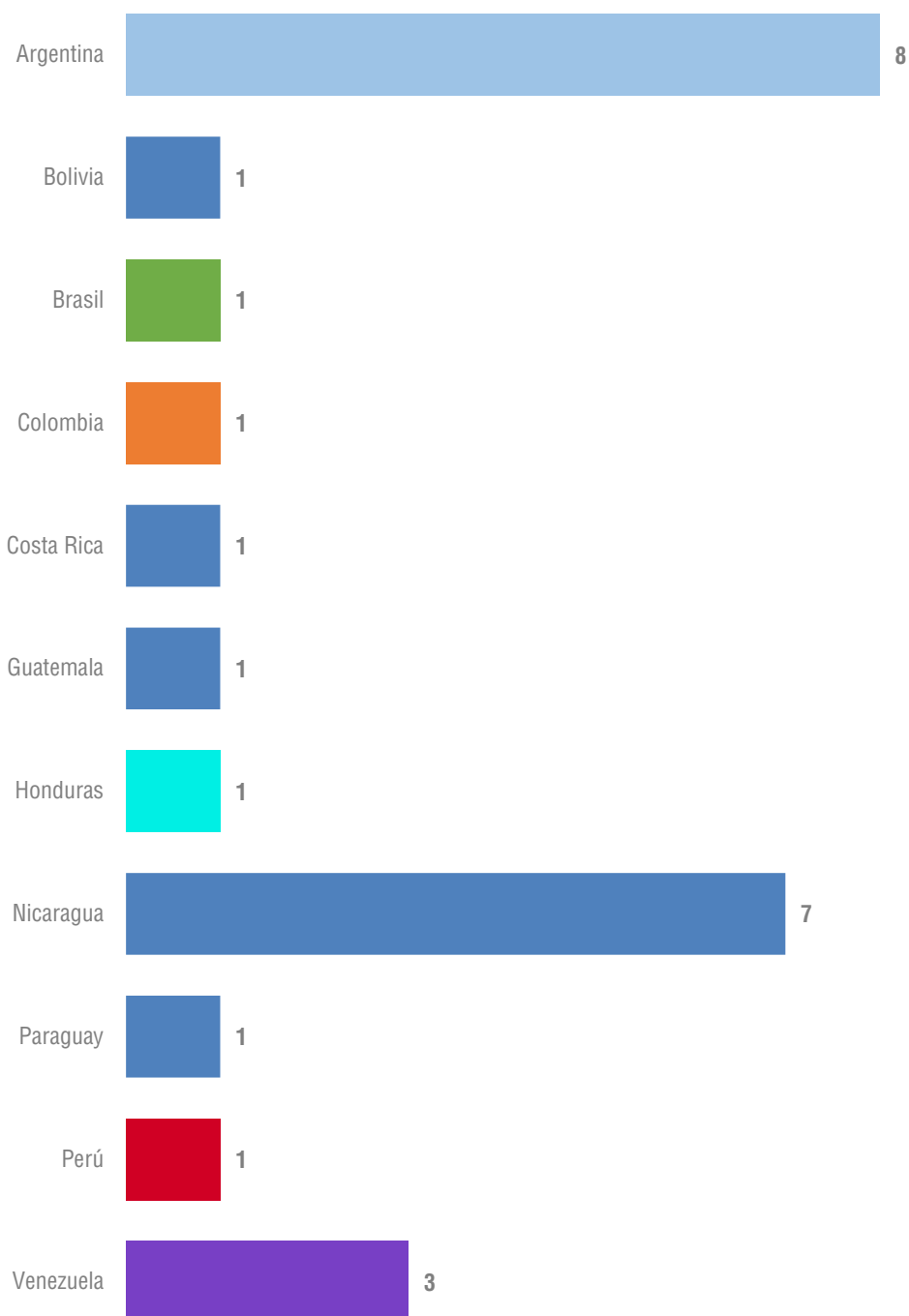
Cases with a decision not to send to the I/A Court H.R. by country

**Total: 13**

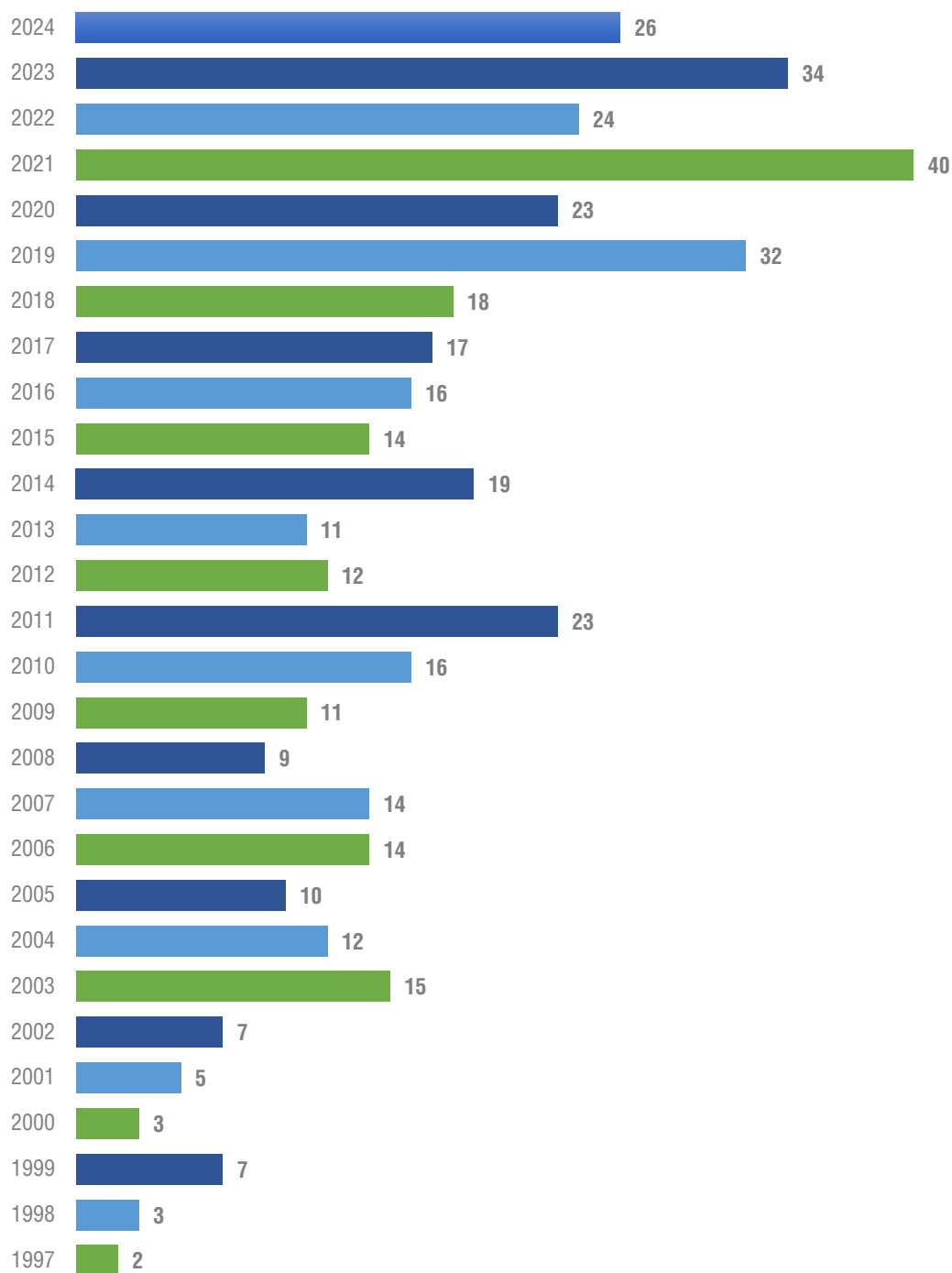


**Note:** This graph shows the number of cases by country in which the **IACHR** made the decision not to send the case to the Inter-American Court of Human Rights and to proceed with the publication of the Report.

## Cases submitted to the I/A Court H.R. by country

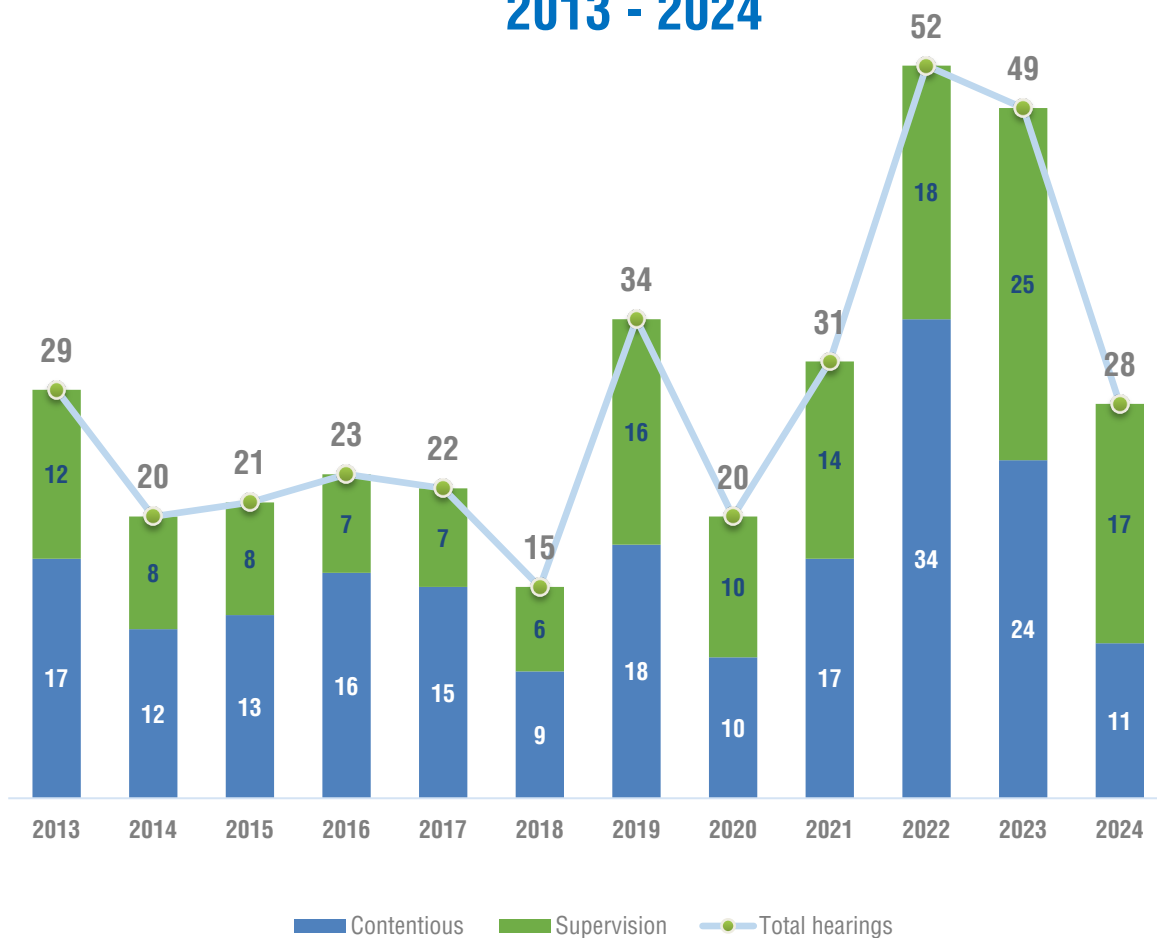
**Total: 26**

## Cases submitted to the I/A Court H.R. by Year



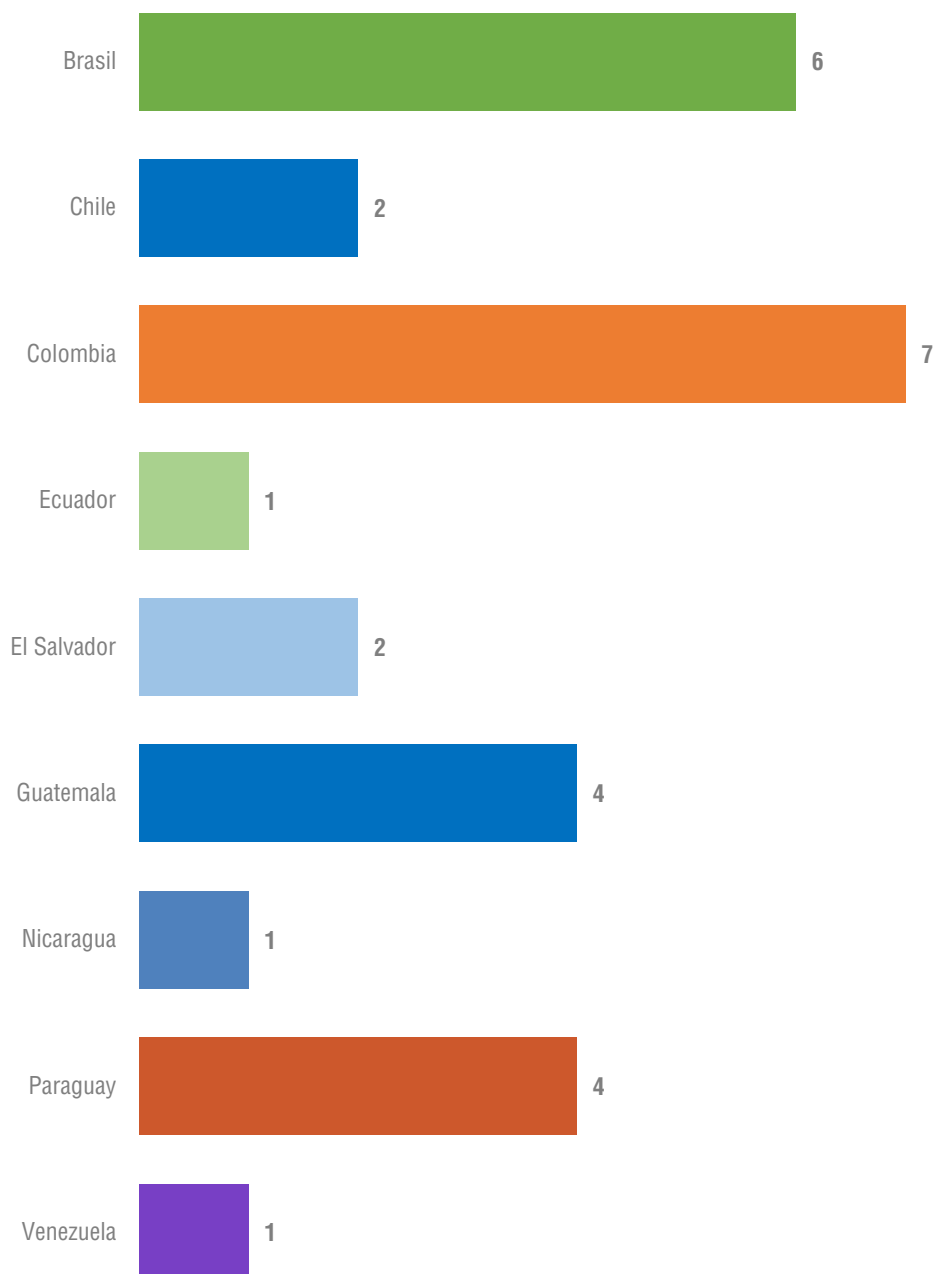
Hearings in which the IACHR participates  
in the I/A Court H.R.

2013 - 2024



**Note:** The chart reflects the number of hearings of cases pending or supervised before the I/A Court H.R.

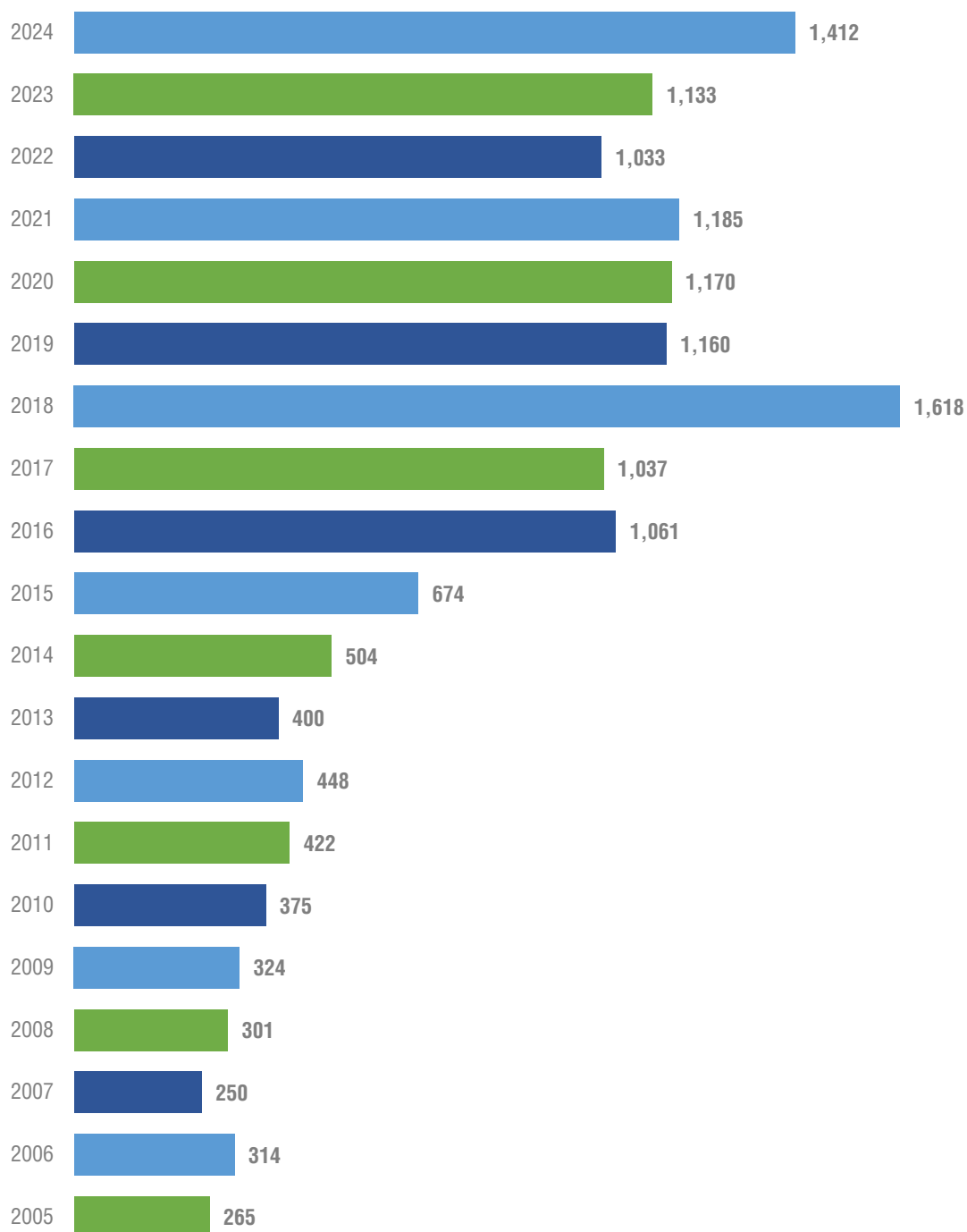
## Hearings before the I/A Court H.R. by country\*

**Total: 28**

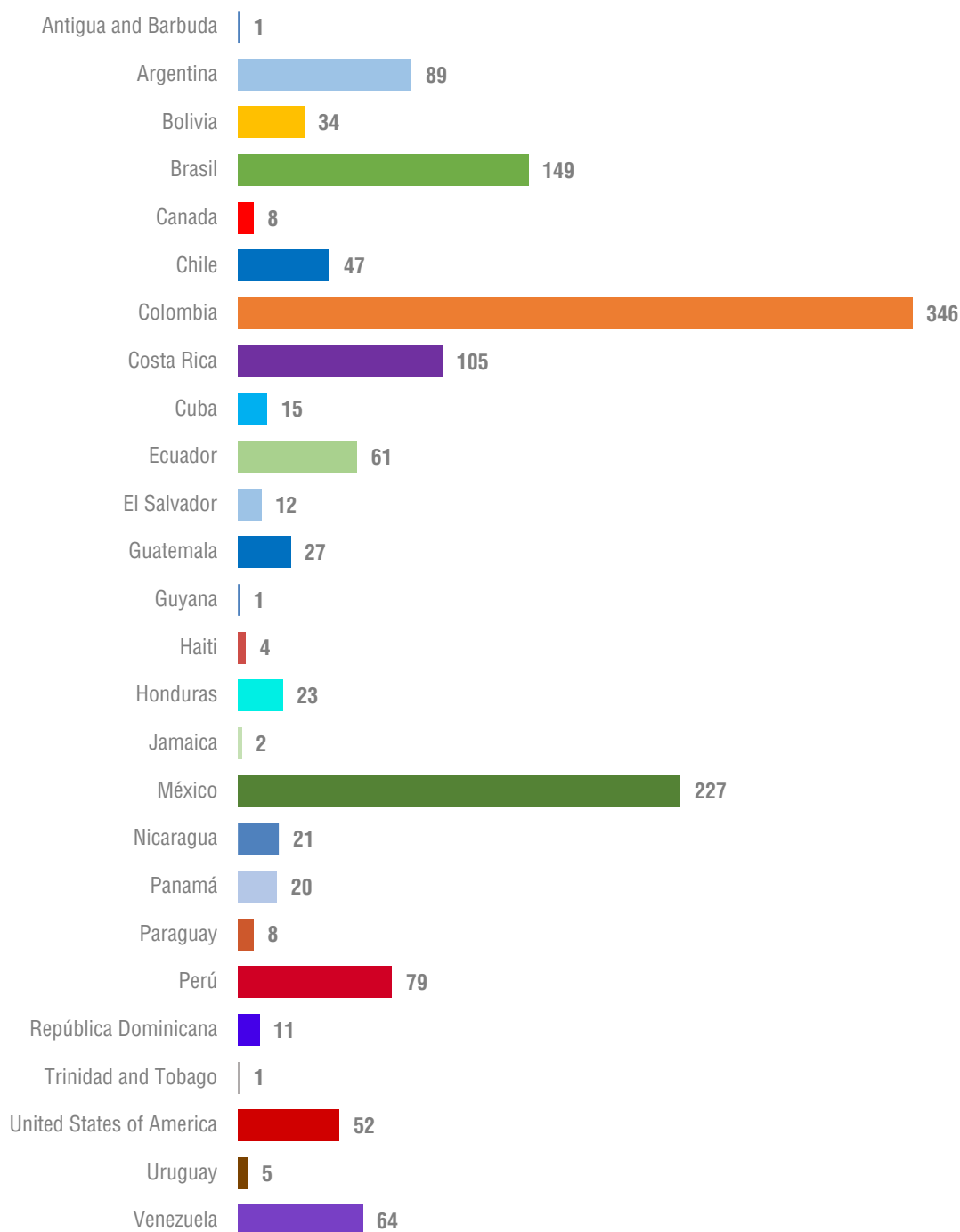
\* The number refers to hearings related to contentious cases in processing or under the supervision of judgment.



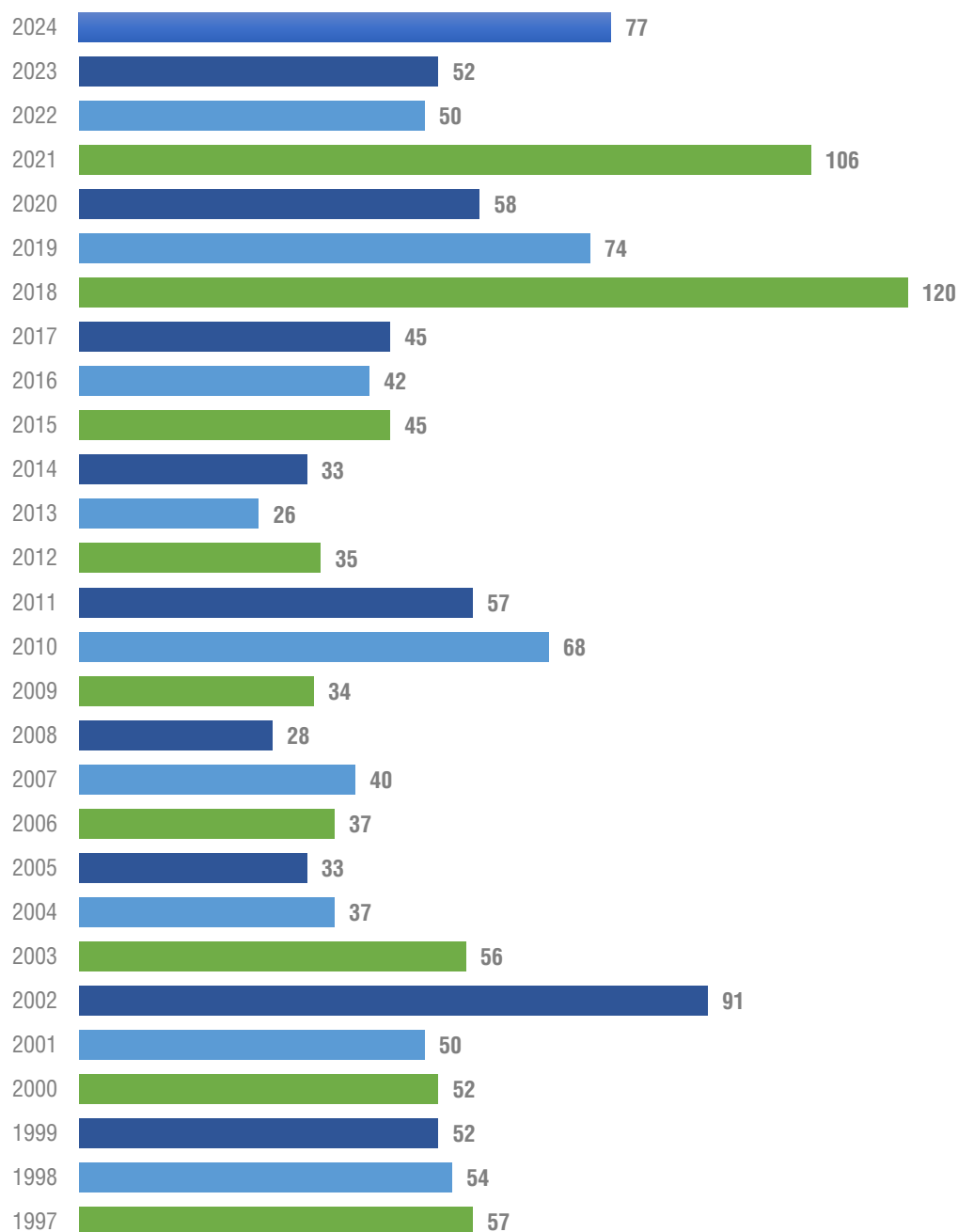
## Requests for precautionary measures received by Year



## Requests for precautionary measures received by country

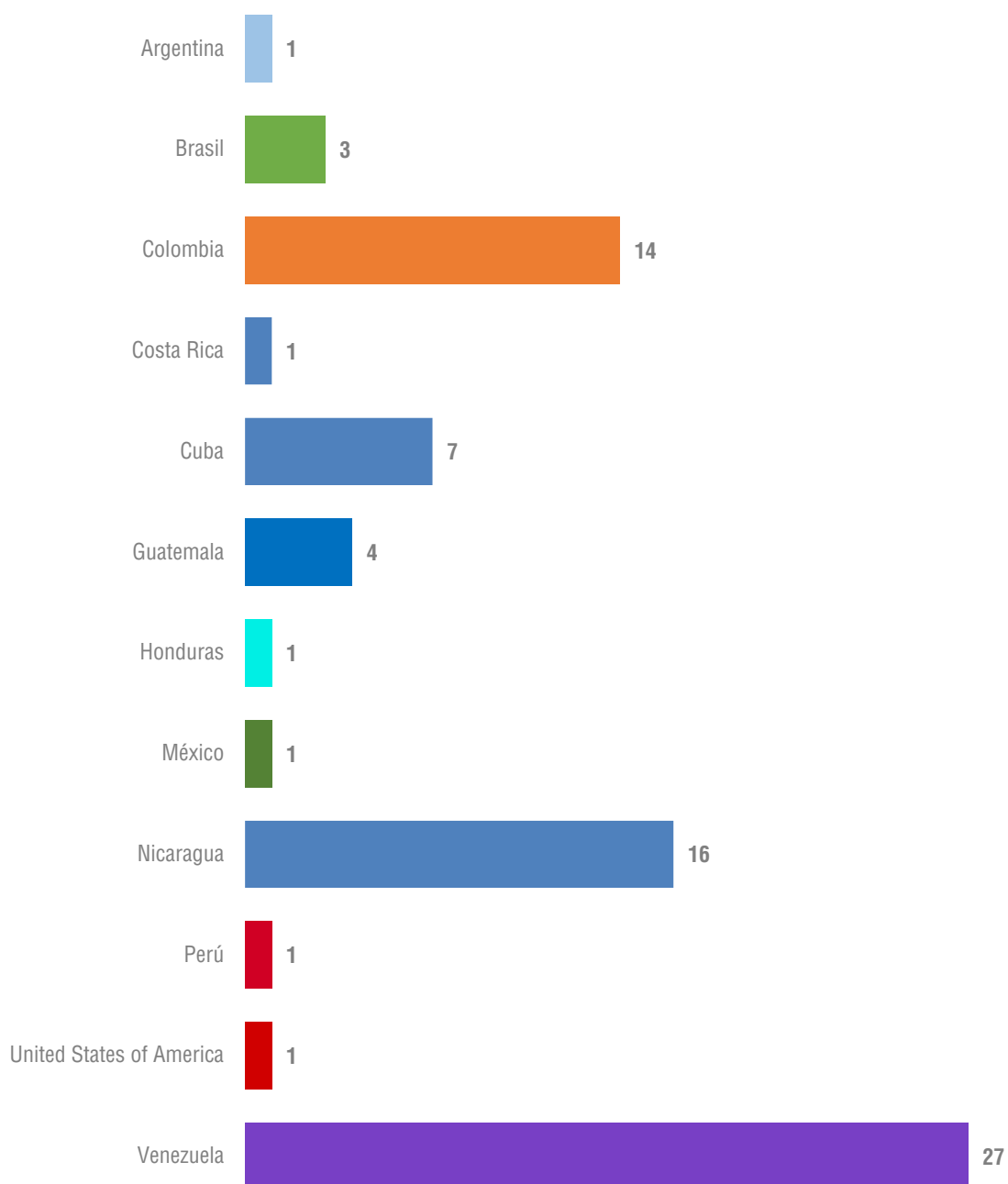
**Total: 1,412**

## Precautionary measures granted or extended by Year\*



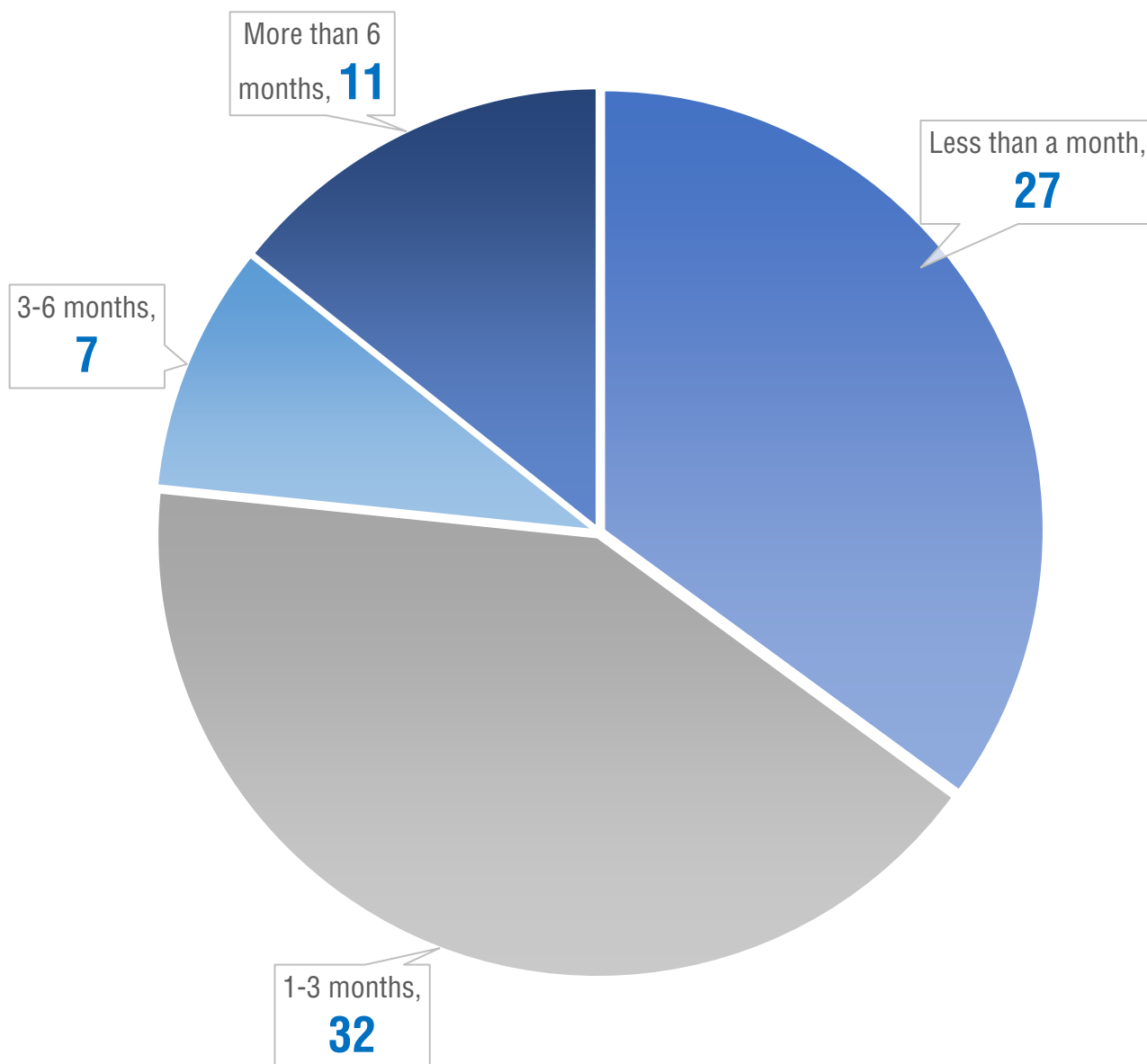
\* Precautionary measures granted may include requests presented in previous years.

## Precautionary measures granted or extended per country

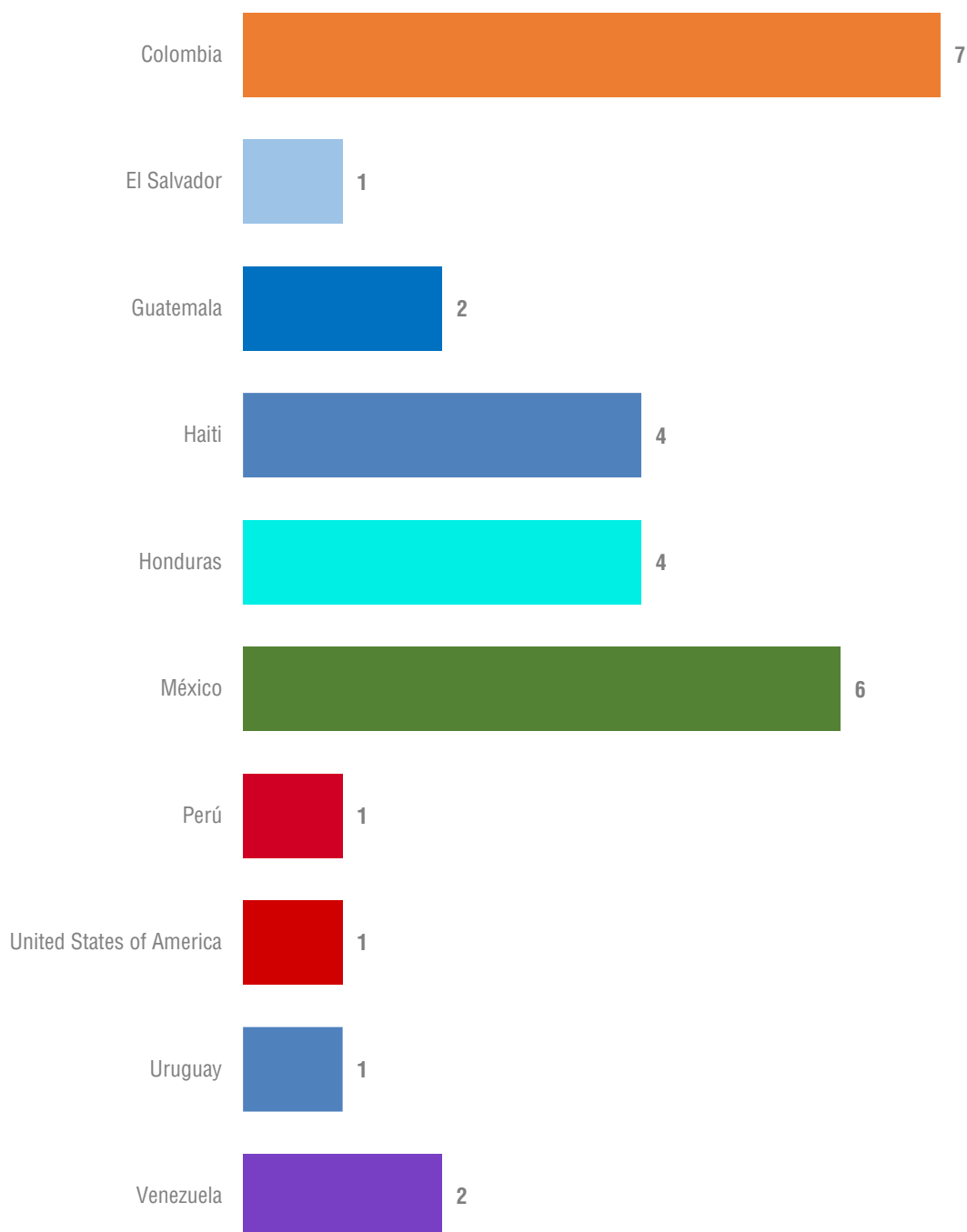
**Total: 77**

\* The total may also include decisions of requests received in previous years.

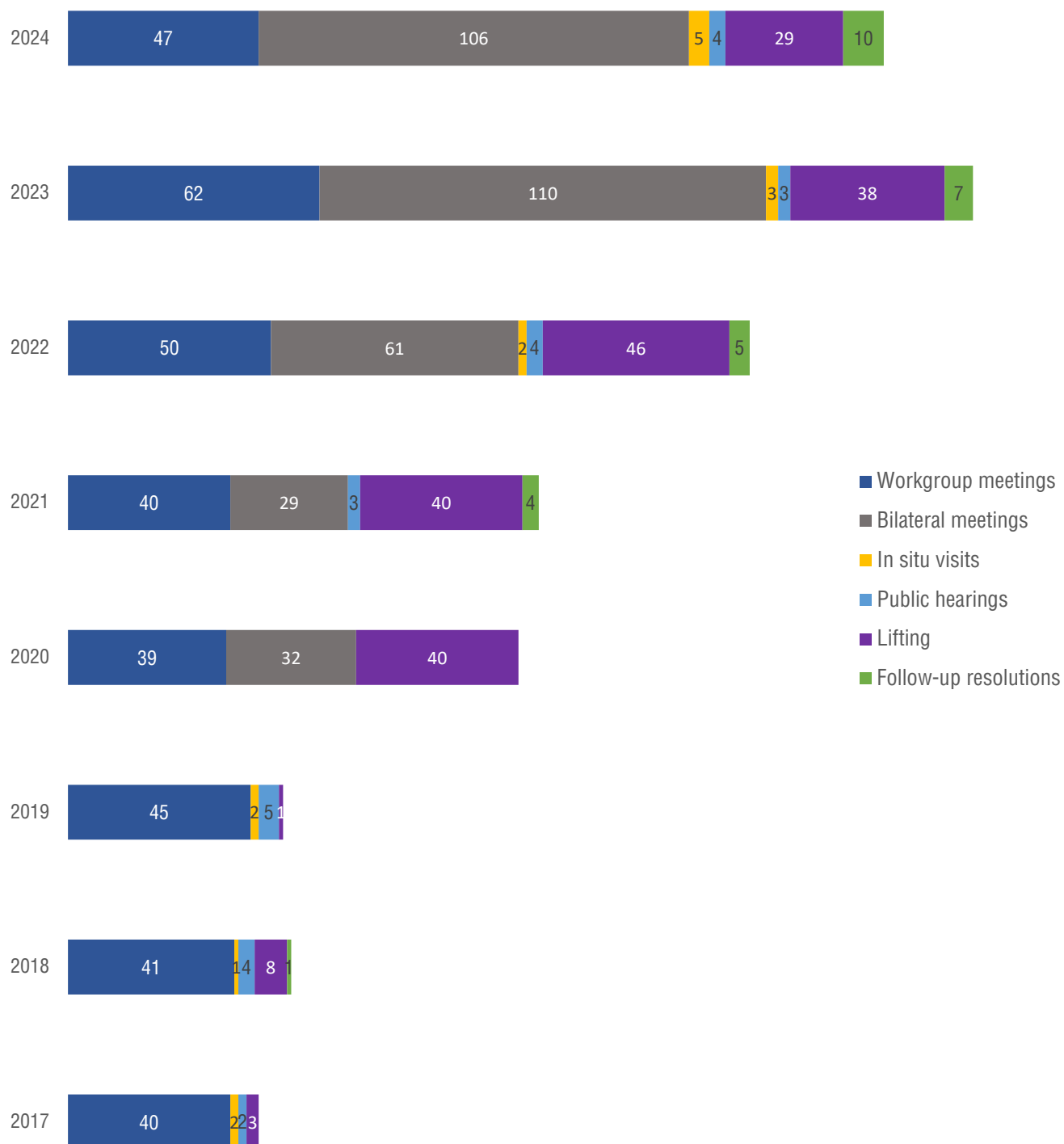
## Granting or extension time of precautionary measures



## Precautionary measures lifted by country

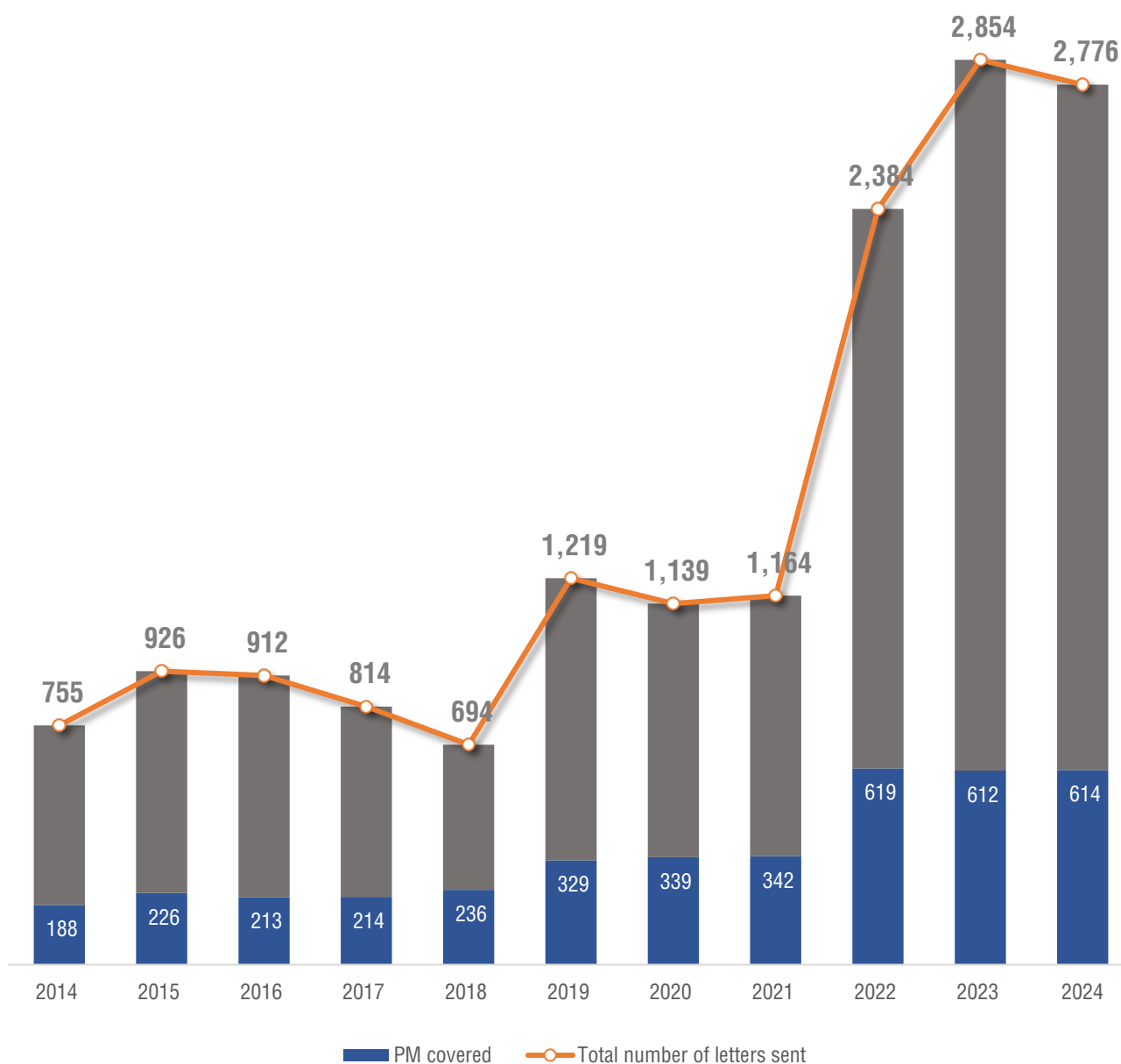
**Total: 29**

## Follow-up actions of precautionary measures in force by Year





Letters sent by the **IACHR** on precautionary measures in force  
**by Year**



## Thematic and country reports approved by Year

