

TECHNICAL INFORMATION SHEET
CASE 11.422 MARIO ALIOTO LÓPEZ SÁNCHEZ
REPORT ON FRIENDLY SETTLEMENT Nº [1/12](#)
TOTAL COMPLIANCE
(GUATEMALA)

I. SUMMARY OF THE CASE

Victim (s): Mario Alioto López Sánchez

Petitioner (s): Centro de Acción Legal de Derechos Humanos (CALDH)

State: Guatemala.

Beginning of the negotiation date: June 4, 2004

FSA signature date: January 19, 2011.

Report on Friendly Settlement Agreement: [1/12](#), published on January 26, 2012

Estimated length of the negotiation phase: 8 years

Associated Rapporteurship: Memory, Truth, and Justice

Topics: Freedom of expression/Use of force/Investigation/Protest/Police violence

Facts: On November 11, 1994, Mario Alioto López Sánchez, a law student at the University of San Carlos de Guatemala, was with a group of students protesting the increase in urban transit fares, blocking the Avenida Petapa. The petitioners noted that approximately 100 National Police agents attempted to disperse the students by throwing tear gas canisters, shooting firearms, and beating them. A number of the students tried to flee, and approximately 23 of them were detained. Included in this group was Mario Alioto López Sánchez, who was beaten by security officials at the time of his arrest. Even though he was hemorrhaging from a gunshot wound in his left thigh, he did not receive immediate medical attention; approximately two hours after his arrest, he was taken to Hospital Nacional, where he died the day after being admitted. As for the domestic judicial proceedings, the Third Court for Criminal and Drug Trafficking Matters handed down its judgment on July 30, 1997. Danilo Parinello Blanco, Mario Alfredo Mérida Escobar, Salvador Estuardo Figueroa, and Carlos Enrique Sánchez Gómez were convicted and sentenced to 10 years, as perpetrators of the crime of premeditated homicide against Mario Alioto López Sánchez and for the crime of minor injuries against students Julio Alberto Vásquez Méndez and Hugo Leonel Cabrera. Carlos Venancio Escobar Fernández was convicted and sentenced to 30 years in prison as the direct perpetrator of the murder of Mario Alioto López Sánchez and the crime of minor injuries to the other two students. The judgment was partially overturned on appeal, with the first four cleared and the prison sentence for Escobar Fernández reduced to 10 years.

Rights asserted: The State recognized its responsibility for violating Articles 4 (right to life), 5 (right to humane treatment), 16 (right to freedom of association), and 25 (right to judicial protection) of the American Convention in connection with the events.

II. PROCEDURAL ACTIVITY

1. On January 19, 2011, the parties signed a friendly settlement agreement.
2. On January 26, 2012, the Commission approved the agreement signed by the parties, by means of Report No. 1/12.

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

Agreement Clause	Compliance Status
<p>1. The State's Acknowledgement of Its International Responsibility and Admission of the Facts</p> <p>The Guatemalan State acknowledges the international responsibility it has incurred by virtue of the direct involvement of State agents in the perpetration of acts committed against Mario Alioto López Sánchez and violations of his human rights, as set forth in the provisions of the American Convention on Human Rights, specifically the right to life (Article 4), the right to humane treatment (Article 5), freedom of association (Article 16), the right to judicial protection (Article 25), and the obligation to respect the rights recognized in the American Convention on Human Rights (Article 1(1)).[...]</p>	Declarative clause
<p>2. Private Apology</p> <p>a) The Guatemalan State pledges to hold a private ceremony, with high-ranking officials from the Ministry of the Interior and the Chair of the Presidential Steering Committee for Executive Branch Policy on Human Rights (COPREDEH) in attendance. At that ceremony it will acknowledge its international responsibility for the human rights violations committed against Mario Alioto López Sánchez and will deliver a letter signed by the President of the Republic of Guatemala in which he asks pardon of the victim's family for the harm done.</p> <p>The parties hereby agree that the ceremony will be held within the three months following the date on which the present agreement is signed.</p> <p>b) The parties agree that the private ceremony will take place at the premises now home to the Ministry of the Interior; the precise date, program and time of the ceremony shall be determined in due course.</p> <p>c) At the specific request of the victim's relatives, the State pledges not to disclose the information contained in the present Agreement; accordingly, the parties shall also ask the Honorable Inter-American Commission on Human Rights that at the appropriate time, it acknowledge the State's compliance with the commitments undertaken in the present case, without disclosing the details</p>	Total¹
<p>3. Measures to pay tribute to the memory of the victim</p> <p>d) The State pledges to place and unveil a commemorative plaque in memory of the victim at the residence [...]; the material for and content of the plaque shall be determined by agreement with his relatives.</p>	Total²
<p>e) The State pledges to make arrangements with the University of San Carlos de Guatemala, to obtain books and videos documenting the history of Mario Alioto López Sánchez' struggle, which will be turned over to the victim's relatives for preservation.</p>	Total³
<p>4. Economic Reparations</p> <p>a) The State recognizes that acknowledging international responsibility for violation of the victim's human rights protected under the American Convention on Human Rights, implies a responsibility to pay just compensation to the petitioners according to the criteria that the parties mutually agree upon and the parameters established by domestic and international law.</p>	Total⁵

IACHR, Report No. 1/12, Case 11.422, Friendly Settlement, Mario Alioto López Sánchez, Guatemala, January 26, 2012.

² IACHR, Report No. 1/12, Case 11.422, Friendly Settlement, Mario Alioto López Sánchez, Guatemala, January 26, 2012.

³ IACHR, *Annual Report 2021*, Chapter II.4, "Status of Compliance with Reports on Friendly Settlement Agreements, Approved pursuant to Article 49 of the American Convention on Human Rights." Available at: <https://www.oas.org/en/iachr/docs/annual/2021/Chapters/IA2021cap2-en.pdf>

IACHR, Report No. 1/12, Case 11.422, Friendly Settlement, Mario Alioto López Sánchez, Guatemala, January 26, 2012.

<p>The State, through COPREDEH and in accordance with the actuarial study prepared by an expert on April 27, 2011, pledges to pay monetary compensation for a [...] which breaks down as follows: [...]⁴</p>	
<p>5 Investigation, trial and punishment of the guilty parties</p> <p>The Guatemalan State pledges to pursue, through the appropriate institutions, the investigation, prosecution and punishment of those persons against whom criminal proceedings have been instituted and who stand accused in the death of Mario Alioto López Sánchez; it also pledges to pursue the present case in the Justice Promotion Committee [<i>Comité de Impulso</i>].</p> <p>The Guatemalan State pledges to convene the Justice Promotion Committee [<i>Comité de Impulso</i>] every four months for the purpose of submitting a report on the progress made in the investigation. That report will be forwarded to the Inter-American Commission on Human Rights, to the legal representatives in the case, and to the victim's relatives.</p>	<p>Total⁶</p>

IV. LEVEL OF COMPLIANCE OF THE CASE

3. The Commission declared full compliance with the case and the ceasing of the follow-up of the friendly settlement agreement in the 2022 Annual Report.

V. INDIVIDUAL AND STRUCTURAL OUTCOMES OF THE CASE

A. Individual outcomes of the case

- The State recognized its responsibility and apologized to the family of Mario Alioto López Sánchez.
- The Full amount agreed upon as financial reparation for each of the beneficiaries was paid. A ceremony was held to unveil the plaque commemorating Mario Alioto López Sánchez.
- The State identified in the archives of the “Oliverio Castañeda de León” University Students’ Association, information concerning Mario Alioto López Sánchez consisting of: a) documents of 1994 that prove the exchange of letters between several public institutions and the leaders of the AEU; b) declarations made by the AEU on the murder of Student Mario, as well as by the different student associations that are part of the university; c) letters showing solidarity from international institutions, student associations in different countries, as well as letters from individuals requesting the government to investigate the murder and showing their support to the AEU.
- The State urged the Universidad de San Carlos to provide books and videos that show the struggle of Mario Alioto López Sánchez.
- The State promoted the investigation, trial and punishment of the persons involved in criminal proceedings as those allegedly responsible for the death of Mario Alioto López Sánchez and provided the IACHR with information on the steps taken.

⁴ The compensation amounts were kept confidential by the parties.

⁶ See IACHR, 2022 Annual Report, Chapter II, Section C. Advances and challenges on negotiation and implementation of friendly settlements, Available at: [4-IA2022_Cap_2_EN.pdf\(oas.org\)](https://www.oas.org/en/iachr/annual_report/2022/capitulo_2/4-IA2022_Cap_2_EN.pdf)