

TECHNICAL INFORMATION SHEET
CASE 12.732 RICHARD CONRAD SOLÓRZANO CONTRERAS
FRIENDLY SETTLEMENT REPORT No. 86/20
PARTIAL COMPLIANCE
(GUATEMALA)

I. SUMMARY OF THE CASE

Victim(s): Richard Conrad Solórzano Contreras
Petitioner(s): Mario Conrado Solórzano Puac
State: Guatemala.
Start of negotiations: N/A
Date FSA Signed: December 17, 2011
Admissibility Report No.: 103/09, published on October 29, 2009
Report on Friendly Settlement Agreement No. 86/20, published on June 1, 2020
Estimated duration of the negotiation phase: 8 years, 6 months
Associated Rapporteurship: Rights of the Child
Topics: Right to life/ Rights of the child/ Fair trial/ Investigation and due diligence/ Judicial protection

Facts: The petitioner alleges lack of due diligence in the investigation, negligence, and an aiding and abetting after the fact by State agents in the criminal proceedings instituted for the murder of his son, Richard Conrad Solórzano Contreras, aged 16, which took place on March 10, 2003. He also reported that certain officials participated in acts designed to conceal the responsibility and whereabouts of the alleged culprit. He also alleged that medical staff at the hospital where his wounded son died shortly afterwards failed to provide him the medical care he required. As to admissibility requirements, the petitioner said that the remedies under domestic law had been exhausted.

Rights declared admissible: The Commission concluded that it was competent to take up this case and declared that the petition was admissible in relation to Articles 8 (right to a fair trial) and 25 (right to judicial protection) of the American Convention.

II. PROCEDURAL ACTIVITY

1. On December 17, 2011, the parties signed a friendly settlement agreement.
2. On June 1, 2020, the Commission approved the friendly settlement agreement through Report 86/202.

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

Agreement Clause	Status of Compliance
I. CLAUSE. COMMITMENTS ASSUMED BY THE STATE OF GUATEMALA	

<p>1. ACKNOWLEDGMENT OF THE FACTS</p> <p>(a) The State will undertake an act of public acknowledgment of international responsibility and request for forgiveness in the municipality of Coatepeque, Quetzaltenango Department, the native city of the victim, which shall be directed by the President of the Presidential Commission Coordinating the Executive Policy on Human Rights (COPREDEH). In accordance with the request of the petitioner, a special invitation will be addressed to the Attorney General of the Nation and the Director of the National Civil Police, for them to attend the act of acknowledgment of international responsibility. Similarly, it will undertake the necessary steps for this public act to take place in the Municipal Theater of Culture of the Municipality of Coatepeque.</p> <p>(b) The State will produce a 7-minute documentary that summarizes said act, to be broadcasted only once in local cable channels.</p> <p>(c) The State will publish a summary of the facts that gave rise to the instant case in the <i>Diario de Centro América</i> and in the <i>Diario El Quetzalteco</i>.</p>	<p>Total¹</p>
<p>2. JUSTICE</p> <p>The State commits to set up a Promotion Committee, which will be formed by all bodies of justice involved in the process of investigation resulting from the death of the young student, Richard Conrad Solórzano Contreras, for the purposes of promoting such process and follow-up on administrative procedures against the employees and government officials identified by the petitioner as responsible for the negligence during the first investigatory acts.</p>	<p>Partial Cease of supervision²</p>
<p>3. MEASURES OF DIGNIFICATION</p> <p>(a) The State will request the municipal government of Coatepeque for it to authorize the naming of the Municipal Theater of Culture under the name of Richard Conrad Solórzano Contreras and, if it were not possible, the naming of the 6th Street, Zone 1, in front of the Central Park of Coatepeque or other location, with the name of the victim. Upon receiving authorization, a commemorative plaque shall be placed there.</p> <p>(b) The State will request the relevant institutions to grant the usufruct over a property of the State</p>	<p>Partial Cease of supervision³</p>

¹ See IACHR, Report No. 86/20 Case 12.732, Friendly Settlement, Richard Conrad Solórzano Contreras. Guatemala. June 1, 2020. Available at: <https://www.oas.org/en/iachr/decisions/2020/gusa12732en.pdf>.

² See IACHR, Annual Report 2023, Chapter II, Section C, Advances and challenges on negotiation and implementation of friendly settlement agreements. Available at: https://www.oas.org/en/iachr/docs/annual/2023/chapters/IA2023_Cap_2_ENG.PDF.

³ See IACHR, Annual Report 2024, Chapter II, Section C. Advances and challenges on negotiation and implementation of friendly settlements agreements. Available at: https://www.oas.org/en/iachr/docs/annual/2024/chapters/IA2024_2_EN.PDF.

for the purposes of the Richard Conrad Solórzano Contreras Foundation operating there.	
<p>4. ECONOMIC REPARATION</p> <p>The parties to this Friendly Settlement Agreement recognize the mutual will evinced in agreeing to a sum that allows compensation to the family members of Richard Conrad Solórzano Contreras, and thus the State commits to pay to the petitioner and his family composed of: Mario Conrado Solórzano Puac, Milton Josue, Edinson Geovany, Jaquelin Xiomara, Jorge Mario y Abner Alexander, all of Solórzano surname, compensation in the sum of [...]3, which has been established through actuarial valuation carried out by an independent consultant, in order to establish the payment corresponding to the economic reparation of the respective material and non-material or moral damages. The amount established in this agreement is confidential and shall not be published.</p>	Total⁴

IV. LEVEL OF COMPLIANCE OF THE CASE

3. The Commission declared partial compliance with the case and the ceasing of the follow-up of the friendly settlement agreement in the 2024 Annual Report.

V. INDIVIDUAL AND STRUCTURAL OUTCOMES OF THE CASE

A. Individual outcomes of the case

- The State paid the economic reparation, as agreed in the arbitration award.
- The State held a public act of recognition and apology at the Municipal Theatre, which was broadcasted on local channels.

B. Structural outcomes of the case

- The State carried installed a commemorative plaque on June 26, 2014, as agreed.
- The State renamed "10a Avenida zona 2 barrio el Jardín" as "Estudiante Richard Solórzano", as agreed.

⁴ See IACHR, Report No. 86/20 Case 12.732, Friendly Settlement, Richard Conrad Solórzano Contreras. Guatemala. June 1, 2020. Available at: <https://www.oas.org/en/iachr/decisions/2020/gusa12732en.pdf>.