

Summonses

Inter-American Court of Human Rights

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INTER-AMERICAN COURT WILL HOLD ITS 126TH PERIOD OF REGULAR SESSIONS

San José, Costa Rica, 14 August 2018- The Inter-American Court will hold its 126th Period of Regular Sessions from 20-24 August in San José, Costa Rica.

I. Decisions and Judgments

The Court will deliberate the following contentious cases:

a) Case Munárriz Escobar et al. v. Peru

This case is about the alleged forced disappearance of Walter Munárriz Escobar beginning on 20 March 1999, after allegedly being detained by police personnel and taken to the police station in Lircay, Peru, where he was allegedly deprived of liberty. Even though the Peruvian State argued that Mr. Munárriz Escobar was set free, the Commission alleged that no documentary evidence exists of the release, that the testimony offered by the State was the only evidence of the alleged exoneration of Mr. Munárriz Escobar and such testimony does not comply with the minimum standards of credibility, and that there are multiple circumstantial elements that when taken together show that the general police conduct toward Mr. Munárriz Escobar was irregular and arbitrary. Furthermore, the Commission concluded that as of the date of approval of the background report, more than 17 years had passed since the beginning of the alleged forced disappearance and the issue has still not been cleared up. The Commission determined that the State had erred by committing an alleged excessive delay of investigations and that such delay would not be sustained in the “complexity of the matter” requirement, but rather in the alleged behavior of judicial authorities and diligence on behalf of the State. The Commission also concluded that the State had erred in its obligation to adopt domestic legislation or other measures due to the inappropriate classification of the crime of forced disappearance of persons. Finally, the Commission detailed the alleged violation of the Munárriz Escobar family’s right to mental and moral integrity. You can learn more about the case [here \(in Spanish\)](#).

b) Case Coc Max et al. v. Guatemala

This case relates to the alleged massacre perpetrated by members of the Armed Forces of Guatemala on 5 October 1995 against 11 people, including three children, who were part of the indigenous population *q’eqchi’, mam, q’anojb’al y ixil y k’iche*, which tended to the Xaman farm after having taken refuge in Mexico as a consequence of the serious human rights violations committed during the internal armed conflict. Twenty-nine people were wounded in the massacre, three of which subsequently died due to the wounds they suffered. Regarding the investigations carried out, the Commission determined that while the case was being considered by a military criminal body, the State had breached its obligation to carry out an impartial and independent investigation. Although the authorities found 14 members of the Armed Forces guilty, the Commission alleged that there had been deficiencies and irregularities during the process that allegedly constituted violations of the duty to investigate with due diligence and within a reasonable time. It also concluded that the State had breached its obligation to remove obstacles posed by threats and harassment against several different people in the process.

Finally, it determined that the facts allegedly constituted an expression of racial discrimination against the Mayan people during the armed conflict in Guatemala. You can learn more about the case [here](#) (in Spanish).

c) *Case Cuscul Pivaral et al. v. Guatemala*

This case is about the alleged lack of medical attention on the part of the State for 49 people with HIV/AIDS living in situations of poverty. It is believed that the death of eight of the presumed victims had taken place as a consequence of infections thought to be “opportunistic,” or in circumstances in which they did not receive the attention they needed from the State within a certain timeframe, or due to poor attention by the latter. It is also alleged that the treatment implemented in 2007 did not comply with the minimum standards to be considered integral and adequate, and, therefore, the alleged deficiencies had violated the rights to health, life, and personal integrity of the presumed surviving victims. Finally, the State had not set up an effective framework of judicial protection for the presumed victims. You can learn more about the case [here](#) (in Spanish).

II. Supervision of compliance with the judgment, provisional measures, and administrative matters


In a similar manner, the Court will supervise the compliance of several judgments and the implementation of provisional measures as per its competence to do the same, as well as analyze administrative matters.

The composition of the Court for this period of regular sessions will include the following: Judge Eduardo Ferrer Mac-Gregor Poisot, President (Mexico); Judge Humberto Antonio Sierra Porto (Colombia); Judge Elizabeth Odio Benito (Costa Rica); Judge Eugenio Raúl Zaffaroni (Argentina); and Judge Patricio Pazmiño Freire (Ecuador). Due to *force majeure* reasons, Judge Eduardo Vio Grossi, Vice-President (Chile), will not participate in this period of sessions.

This release was produced by the Secretariat of the Inter-American Court of Human Rights, which has the sole responsibility to do so.

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You can sign up for updates from the court at <http://www.corteidh.or.cr/index.php/en/court-today/servicios-de-informacion>. You can also follow the activities of the Court on [Facebook](#) and [Twitter](#).

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