

Summonses

Inter-American Court of Human Rights

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INTER-AMERICAN COURT HELD ITS 126TH PERIOD OF REGULAR SESSIONS

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

I. Judgments

The Inter-American Court issued the following judgments, which will be notified soon:

a) *Case Munárriz Escobar et al v. Peru*

This case concerns the alleged forced disappearance of Walter Munárriz Escobar beginning on 20 March 1999, after allegedly having been 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 existed 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 did not comply with the minimum standards of credibility, and that there were multiple circumstantial elements that when taken together showed that the general police conduct towards 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 had 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. 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 concerns 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. Interpretation judgments

The Inter-American Court issued the following interpretation judgments, which will be notified soon:

- *Case Gutiérrez Hernández et al v. Guatemala*
- *Case of Dismissed Employees of Petroperú et al. v. Peru*

III. Provisional Measures

The Inter-American Court issued the following resolutions on provisional measures and on a request for provisional measures, which will be notified soon:

- *Case Romero Feris v. Argentina*
- *Matter of Luisiana Ríos et al. with regard to Venezuela*
- *Matter of Members of the Miskitu Indigenous Community of the North Caribbean Coast regard to Nicaragua*

IV. Cooperation agreements

The President of the Inter-American Court, Judge Eduardo Ferrer Mac-Gregor Poisot, signed on 21 August 2018 two cooperation agreements with the following institutions:

- *La Salle University of Brazil*
- *National Institution of Human Rights and Ombudsman of Uruguay*

V. Pending issues and administrative matters

In a similar manner, the Inter-American Court supervised different issues, such as the processing of cases under its jurisdiction and analyzed administrative matters.

The composition of the Court for this period of regular sessions included 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), did 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.

For the latest information please visit the website of the Inter-American Court, <http://corteidh.or.cr/en>, or send an email to Pablo Saavedra Alessandri, Secretary, at corteidh@corteidh.or.cr. For press inquiries please contact Marta Cabrera Martín at prensa@corteidh.or.cr.

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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