INTER-AMERICAN COURT APPROVES FRIENDLY SETTLEMENT IN THE CASE *TRUEBA ARCINIEGA ET AL. V. MEXICO*

San Jose, Costa Rica, December 19, 2018.- In the judgment published today in the Case *Trueba Arciniega et al. v. Mexico*, the Inter-American Court of Human Rights (hereinafter, "the Court") approved and gave full legal effects to the friendly agreement that was reached by the Mexican State and the legal representatives of the family members of Mr. Mirey Trueba Arciniega[1]. The official summary of the judgment can be found here and the entire text of the judgment here (in Spanish).

The Court found the Mexican State responsible for violating Mr. Trueba's right to life and personal integrity on 22 Augusto 1998, as well as for violating Mr. Trueba's family members' right to a fair trial, judicial protection and personal integrity.

The Court observed that on 22 August 1998 Mr. Trueba was inside a vehicle with his brother Mr. Vidal Trueba Arciniega and a friend. The car was circulating on a main road of Baborigambe city (State of Chihuahua) when a military vehicle approached and asked them to stop. Once the car had stopped, Mr. Trueba got out of the car and run towards the back of the car. In view of this reaction, a military shot him between 10 and 12 times, causing him serious injuries and subsequent death when he was being taken to the hospital.

As regards the investigations on the facts, the Court noted that on February 22, 2000 a military judge convicted the military for simple intentional homicide. On January 19, 2001 the Military Supreme Court, addressing the appeal lodged against this judgment, convicted the accused for being the direct and involuntary perpetrator of the crime of intentional killing and reduced his sentence. The Supreme Court ordered the perpetrator's release as he had served his prison sentence.

On September 17, 2002 Mr. Trueba's father, Mr. José Tomás Trueba Loera, signed an agreement with the Secretary of National Defense whereby he obtained compensation for moral and material damages. The Military Supreme Court's judgment became final.

By virtue of the reached agreement between the parties, the Court approved the agreed reparations. Among these reparations the State must review the criminal proceedings taking into account the Inter-American standards; provide medical and psychological care as required by the victims; provide to some of the family members economic resources for several purposes; provide food support to Mr. Trueba's parents; organize a public act acknowledging the State's responsibility; implement training programs for the armed forces and for the agents of the Federal Public Ministry as described in the judgment; pay the quantum fixed in the judgment for moral and immaterial damage, as well as for lost profit and expenses.

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[1] This case was brought by the Inter-American Commission of Human Rights before the Court on April 28, 2018.

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The Court's composition for the sentence included the following: Judge Eduardo Vio Grossi (Chile), Acting President; Judge Humberto Antonio Sierra Porto (Colombia); Judge Elizabeth Odio Benito (Costa Rica); Judge Eugenio Raúl Zaffaroni (Argentina); and Judge L. Patricio Pazmiño Freire (Ecuador).

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