

Order of the
Inter-American Court of Human Rights
of November 27, 2007
Case of Blake v. Guatemala
(Monitoring Compliance with Judgment)

HAVING SEEN:

1. The Judgment on the merits delivered in the instant case by the Inter-American Court of Human Rights (hereinafter, the "Court", the "Inter-American Court" or the "Tribunal") on January 24, 1998,¹ whereby it was declared, in the operative paragraphs three and four, that:

[...]

[...] the State of Guatemala is obliged to use all the means at its disposal to investigate the acts denounced and punish those responsible for the disappearance and death of Mr. Nicholas Chapman Blake.

[...]

[...] the State of Guatemala is obliged to pay a fair compensation to the relatives of Mr. Nicholas Chapman Blake and reimburse them for the expenses incurred in their representations to the Guatemalan authorities in connection with this process.

[...]

2. The Judgment on the reparations delivered by the Court in the instant case on January 22, 1999,² in which it was decided:

[...]

1. To order the State of Guatemala to investigate the facts of the present case, identify and punish those responsible, and adopt the measures in its domestic law that are necessary to assure compliance with this obligation (in conformance with operative paragraph three of the Judgment on the merits), of which it will inform the Court, semiannually, until the end of the corresponding actions.

2. To order the State of Guatemala to pay:

a) US \$151,000.00 (one hundred and fifty-one thousand dollars of the United States of America) or its equivalent in Guatemalan national currency, to Richard Blake, Mary Blake, Richard Blake Jr., and Samuel Blake, as the injured party, as reparations, to be distributed in the manner indicated in th[e] Judgment:

¹ *Case of Blake v. Guatemala*. Merits. Judgment of January 24, 1998. Series C No. 36.

² *Case of Blake v. Guatemala. Reparations* (Article 63(1) American Convention on Human Rights). Judgment of January 22, 1999. Series C No. 48.

i. US\$30,000.00 (thirty thousand dollars of the United States of America) as moral damages to each of the following persons: Richard Blake, Mary Blake, Richard Blake Jr. and Samuel Blake;

ii. US\$15,000.00 (fifteen thousand dollars of the United States of America) as medical expenses to Samuel Blake; and

iii. US\$16,000.00 (sixteen thousand dollars of the United States of America) as expenses of extrajudicial nature.

b) Also, US\$10,000.00 (ten thousand dollars of the United States of America) or its equivalent in Guatemalan national currency, to Richard Blake, Mary Blake, Richard Blake Jr., and Samuel Blake, as the injured party, for reimbursement of the expenses incurred in the processing of the case before the Inter-American system for the protection of human rights, in accordance with th[e] Judgment.

3. To order that the State of Guatemala make the payments indicated in operative paragraph 2 within six months of the notification of th[e] Judgment.

4. To order that the payments ordered in the [...] Judgment shall be exempt from any existing or future tax or duty

5. To supervise fulfillment of th[e] Judgment.

3. The Order delivered by the Inter-American Court on November 27, 2002, in which it decided:

[...]

[...] That the State had the obligation to take all necessary measures to comply effectively and promptly with the Judgment on reparations of January 22, 1999, delivered by the Inter-American Court of Human Rights in the Blake case, as established in Article 68(1) of the American Convention on Human Rights.

[...]

4. The Order delivered by the Inter-American Court on November 27, 2003, whereby it declared:

[...] that the state has complied with payment of the compensation ordered by the Inter-American Court of Human Rights to Richard Blake, Mary Blake, Richard Blake Jr. and Samuel Blake, all next of kin of the victim, as indicated in the sixth considering paragraph of this order.

[...] that it will keep open the procedure to monitor compliance with the aspect pending fulfillment in the instant case, in relation to the measures necessary to comply with the obligation to investigate, prosecute and punish all those responsible for the human rights violations, as indicated in the seventh considering paragraph of this order

And decided:

[...] To urge the State to adopt all necessary measures to comply promptly and effectively with the reparations ordered in the Judgments of January 24, 1998, and January 22, 1999, which are pending compliance, pursuant to the provisions of Article 68(1) of the American Convention on Human Rights.

[...]

5. The briefs submitted on May 7, 2004 and August 17, 2005, whereby the State of Guatemala (hereinafter, the "State") informed that:

a. "the regional delegate of [the Presidential Commission on Human Rights (hereinafter "COPREDEH") visited the Criminal Investigation Section [...] in the Department of Huehuetenango [and] requested information from the Prosecution Office of the District in order to obtain information regarding the progress made to effectively apprehend Mr. Candelario López Herrera, Hipólito Ramos García and Mario Cano Saucedo, but had no positive answer up to the moment". Furthermore, it noted that "notwithstanding the efforts made by the State of Guatemala, through its competent authorities, in order to comply with the apprehension orders issued against Mr. Candelario López Herrera, Hipólito Ramos García and Mario Cano Saucedo, the whereabouts of the accused could not be determined". At the moment, the criminal action against Mario Cano Saucedo and Hipólito Ramos García is under investigation and,

b. "the conviction of Mr. Vicente Cifuentes López for the crime of murder which sentenced him to 28 years of immutable imprisonment [...] is final," that as a consequence of "having declared unfounded the Appeal filed by the defense."

6. The notes of July 1, 2004 and September 30, 2005, by which the Inter-American Commission of Human Rights (hereinafter, the "Commission" or the "Inter-American Commission") submitted its observations to the reports presented by the State (*supra*, Having Seen clause 5). In said notes, "the Commission acknowledge[d] the efforts made by the State [...] as to the affirmation [...] of the conviction against Mr. Vicente Cifuentes López [and observed that] there has been no progress as to the obligation to investigate, prosecute and punish the responsible in the instant case". Furthermore, it pointed out that "the State fails to indicate [...] the type and date of the proceedings carried out to execute the apprehension orders" issued against Mr. Candelario López Herrera, Hipólito Ramos García and Mario Cano Saucedo and that it just "confirms that the corresponding apprehensions have not been executed." Thus, it requested the Court to order the State "to adopt, immediately and specifically, all the measures necessarily to comply with the obligation to investigate, prosecute and punish the responsible of the violations of human rights as declared by the Court in the [instant] case."

7. The Order issued by the President of the Inter-American Court (hereinafter, the "President of the Court") on October 29, 2007, whereby, in exercise of the Court's power to monitor compliance with its decisions, in consultation with the other Judges of the Tribunal and pursuant to Articles 67 and 68(1) of the American Convention on Human Rights (hereinafter, the "American Convention" or the "Convention") it was decided to summon the Inter-American Commission, the

representatives of the victim's next of kin and the State to a hearing to be held in private on November 23, 2007, in order to obtain information from the State regarding the only aspect of the Judgment on the merits and the Judgment on the reparations delivered by this Court, which is still pending compliance and receiving the observations submitted by the Commission and the representatives of the next of kin.

8. The notes of November 9 and 17, 2007, by which the victim's next of kin informed about their difficulties in attending the referred private hearing or sending their representatives to such hearing. The notes of November 9 and 19, 2007, whereby the State and the Inter-American Commission, respectively, submitted the list of people who would represent them during said hearing.

9. The brief of November 21, 2007, whereby the victim's next of kin submitted their observations regarding the State's compliance with the Judgments delivered in the case at hand; they specifically, made reference to the efforts made by the State to locate and investigate the three individuals who are identified as suspects of the disappearance and death of the victim.

10. The hearing held in private by the Court³ at its seat in San José, Costa Rica on November 23, 2007, during which the State and the Inter-American Commission referred to the only aspect pending compliance in the instant case.

CONSIDERING:

1. It is an inherent power of the judicial functions of the Court to monitor compliance with its decisions.

2. That Guatemala has been a State Party to the American Convention (hereinafter, the "American Convention") since May 25, 1978, and that it accepted the binding jurisdiction of the Court on March 9, 1987.

3. That, pursuant to section 67 of the American Convention, State parties must fully comply with the judgments entered by the Court in time fashion. Furthermore, Article 68.1 of the American Convention stipulates that "[t]he States Parties to the Convention undertakes to comply with the judgment of the Court in any case to

³ Pursuant to Article 62 of the Rules of Procedures, the Court held the hearing together with the following commission of Judges: Judge Sergio García Ramírez, President; Judge Leonardo A. Franco and Judge Rhadys Abreu Blondet. To this hearing, there appeared: a) on behalf of the Inter-American Commission: Manuela Cuvi, advisor; and Nelson Camilo Sánchez León, advisor; and b) on behalf of the State: Frank La Rue, President of COPREDEH; Juan José Barrios Taracéan, Ambassador to Guatemala in Costa Rica; María Elena de Jesús Rodríguez López, advisor; Carol Angélica Quirós Ortiz, advisor; and Lesbia Andina Contreras Santos, advisor.

which they are parties.”⁴ Therefore, the States must ensure that the rulings set out in the decisions of the Court are implemented at the domestic level.⁵

4. That the obligation to comply with the decisions of the Court’s judgments conforms to a basic principle of the international responsibility of the State, supported by international case law, according to which a State must comply with its international treaty obligations in good faith (*pacta sunt servanda*).⁶ The treaty obligations of States Parties are binding on all the States’ powers and organs.⁷

5. That the States Parties to the Convention must ensure compliance with its provisions and their inherent effects (*effet utile*) within their respective domestic legal systems. This principle applies not only in connection with the substantive provisions of human rights treaties (*i.e.* those dealing with the protected rights) but also in connection with procedural rules, such as the ones concerning compliance with the decisions of the Court. Such obligations are intended to be interpreted and enforced in a manner such that the protected guarantee is truly practical and effective, taking into account the special nature of human rights treaties.⁸

6. That according to the operative paragraph three of the Judgment on the merits (*supra* Having Seen clause 1) and two of the Judgment on the reparations (*supra* Having Seen clause 2), the State must, *inter alia*, investigate the facts of the case at hand, identify and, if applicable, punish the responsible and adopt all measures in its domestic law that are necessary to comply with this obligation; of which it will inform the Court, semiannually, until the end of the corresponding actions.

7. That, in the Order issued by the Court on November 27, 2003 (*supra* Having Seen clause 4), the Court verified that the State complied with the payment of the compensation ordered by the Court in favor of the following next of kin of the victim: Richard Blake, Mary Blake, Richard Blake Jr. and Samuel Blake (*Operative Paragraph two of the Judgment on the reparations of January 22, 1999*). Furthermore, it also verified that the State sentenced Mr. Vicente Cifuentes López to 28 years imprisonment as responsible for the disappearance and murder of Nicholas Chapman

⁴ Cf. *Case of Baena Ricardo et al.* Competence. Judgment of November 28, 2003. Series C No. 104, para. 60; *Case of Gómez Palomino*. Monitoring Compliance with Judgment. Order of October 18, 2007; Considering Clause seven.

⁵ Cf. *Case of Baena Ricardo et al.* Competence, *supra* note 4, para. 131; *Case of García Asto and Ramírez Rojas*. Monitoring Compliance with Judgment; *supra* note 5, Considering clause four and *Case of Molina Theissen*. Monitoring Compliance with Judgment. Order of July 10, 2007; Considering Clause two.

⁶ Cf. International Responsibility for the Promulgation and Enforcement of Laws in Violation of the Convention (Articles 1 and 2 of the American Convention on Human Rights). Advisory Opinion OC-14/94; *Case of García Asto and Ramírez Rojas*, *supra* note 5, Considering clause six; *Case of Molina Theissen*, *supra* note 5, Considering clause three, and *Case of Bámaca Velásquez*. Monitoring Compliance with Judgment Order of the Inter-American Court of Human Rights of July 10, 2007, Considering Clause three.

⁷ Cf. *Case of Baena Ricardo et al.* Competence, *supra* note 4, para.60; *Case of Gomez Palomino*. Monitoring Compliance with Judgment, *supra* note 4; Considering clause seven and *Case of García Asto and Ramírez Rojas*. Monitoring compliance with Judgment. Order of July 12, 2007; Considering Clause six.

⁸ Cf. *Case of Ivcher Bronstein*. Competence. Judgment of September 24, 1999. Series C No. 54, para. 37; *Case of Gómez Palomino*. Monitoring Compliance with Judgment, *supra* note 4; Considering Clause four and *Case of García Asto and Ramírez Rojas*, *supra* note 5, Considering clause seven.

Blake (*Operative paragraph one of the Judgment of the reparations of January 22, 1999*). Nevertheless, the Court decided to keep open the procedure to monitoring compliance in order for the State to inform about the measures adopted to comply with the obligation to investigate, prosecute and, if applicable, punish the responsible of the human rights' violations declared by the Tribunal in the instant case. Specially, the Court requested the State to inform about the measures adopted to investigate and, where applicable, prosecute and punish those people identified as the alleged responsible in the instant case.

8. That, the private hearing was held without the participation of the victim's next of kin and their representatives, who were excused from attending the hearing due to personal reasons. Notwithstanding, before the hearing was conducted, they submitted a brief regarding their opinion on the status of compliance with the Judgments delivered in the case at hand (*supra* Having Seen 9). In said brief, the victim's next of kin observed that the reports submitted by the State only provide general information concerning the contacts made by COPREDEH with the Criminal Investigation Section and officers of the Prosecutor's Office for the District of Huehuetenango. According to the victim's next of kin, even though COPREDEH has established contact with the authorities of the National Police and the Prosecutor's Office of Huehuetenango, its report do not provide details regarding what the authorities in charge of the investigation have been doing during these eight years in order to find the other alleged responsible of the murder of Nicholas Chapman Blake. Moreover, they stated that there are no signs that COPREDEH has requested information from the National Police and the Prosecutor's Office in order to prove such efforts. To such respect, they pointed out that COPREDEH has not provided the Court with specific information regarding when they met such officers, with who they met, if they have discussed some periods of time to visit the place of the facts and if they have closely followed the development of the measures taken by the National Police. The victim's next of kin noted that COPREDEH has neither designed alternative plans to fix the difficulties caused by the lack of cooperation on the part of the National Police with regard to the investigation and search of the alleged responsible, including other areas of the Government or the offering to accompany the National Police in their search trips. Moreover, the victim's next of kin observed that the State has not shown whether the National Police or the Public Prosecutor's Office have ever searched for information regarding these people in official files or data basis in order to locate them, such as identification card's register, documents from the civil patrol register, driving licenses, tax or other kind of duties' register, among others.

In view of the foregoing, the victim's next of kin deems it is crucial the Government conduct, as soon as possible, a search of these people in all the official and relevant files and records. To such end, they requested the State to fully modify the way they have been conducting the investigation of the instant case and they submitted some recommendations to the Court, including the following: "[a] to request] that COPREDEH be separated from the coordination of the investigation due to its incompetence to take measures on the part of the police and judicial authorities, and minimize its role to inform the Court of the case; [b] to request] the President of Guatemala to appoint an officer in line of authority of the Army, with the rank of Colonel or superior, with the power to plan and conduct the search of three individuals in the town of *El Llano* and *Las Majadas* or in nearby towns and with access to the resources of the military base of Huehuetenango; [c] t]o request that a

liaison agent, approved by the Court, accompany to all the trips to *El Llano*, *Las Majadas*, etc., as organized by the Army in order to observe their efforts [...]; d) [t]o request the President of Guatemala to appoint a high hierarchy officer of the Public Prosecutor's Office and grant him/her power to consult the information registries of the national Government and its agencies with the purpose of determining the whereabouts of these men, who will communicate with the officer of the Army already mentioned as to this information[, and e) to request] the President of Guatemala to appoint an officer with hierarchy within the Public Prosecutor's Office in order to be directly responsible of the investigation of these three individuals once their apprehension is final and to appoint a Public Prosecutor if they are accused."

9. That during the hearing held in private, the State noted its will to comply with the human rights obligations within the Inter-American system, which includes the "fully compliance with the Judgments of the Court." The State repeated that the obligation to investigate the facts of the case and, if applicable, to prosecute and punish the responsible of the disappearance and death of Mr. Nicholas Chapman Blake has been partially fulfilled by virtue of the fact that "there is one person serving the sentence of 28 years imprisonment for the crime of murder of Mr. Blake." To such respect, the State informed that Mr. Vicente Cifuentes López is serving its sentence in "*Granja Cantel*" located in the department of Quetzaltenango. Notwithstanding, the State accepted the responsibility for the delay in fully complying with the "factor of justice" in the instant case. In relation to those people for whom arrest warrants have been issued, it acknowledged the ruling regarding the fact that such warrants have not been executed and it hopes that "these moments of transition and reorganization of the State will allow expediting the proceedings". Thus, it requested the Court to grant the State the opportunity to keep insisting before the system of justice and before the Government Ministry on the follow-up of the necessary measures to find out about the whereabouts of the people already mentioned. As to the measures taken by the State to fight the impunity in cases similar to the case at hand, the State informed that it has requested the International Commission against Impunity in Guatemala (CICIG) to give priority to those cases of impunity where the organs of the Inter-American system have already delivered their decisions.

10. That the Commission acknowledged the progress that the State has made as to the payment of the compensations and the costs in the instant case and pointed out the importance of the investigation and punishment of the responsible. By virtue of the foregoing, it noted that the State should clarify the existing information in relation to the arrest warrants issued; specially, it requested a clarification as to when and with regard to whom the arrest warrants have been issued and if they are still in force. To such respect, they requested the State to send a copy of the existing arrest warrants. Furthermore, the Commission requested the State to submit the documentation that proves there exists an officer of the Public Prosecutor's Office in charge of conducting the investigation in the case at hand, as well as that the Civil National Police, under the direction of the Public Prosecutor's Office, is taking some of the following measures: (i) to prove the last known domicile of the suspects by means of the trips to the towns of *El Llano* and *Las Majadas*, (ii) to conduct interviews to determine when these persons were last seen, which their last known place of work were, (iii) to prove the data existing in the Civil Registry of Guatemala, the Citizens' Registry of the Supreme Court of Elections, and the Department of Motor Vehicles and (iv) if applicable, to prove the existing of current

accounts or credit cards as well as all the documentation that demonstrates that such actions are been carrying out (*supra* Having Seen clause 1). Moreover, during the private hearing held (*supra* Having Seen clause 10) the Inter-American Commission transmitted the message of "frustration and impotence for the lack of justice in the case at hand" that the next of kin of Nicholas Blake feel. In such order, the Commission let the State know some of the questionings regarding the compliance with the Judgments of the next of kin.

11. That, because of the requirements of the Inter-American Commission, the State requested a period of time to the Court in order to send information concerning the specific measures adopted to comply with the only aspect of the Judgment that is still pending compliance. The State undertook to submit such information within a term of thirty days.

12. That the advantage of the hearing held to monitor the aspect of the case that is still pending compliance, which is hereby represented by the good will and the cooperation shown by the parties, should be valued. In particular, the Court values the favorable availability of the State to handle the orders of the Inter-American Court and hopes that represents a positive contribution to the resolution of the instant case.

13. That, in monitoring the partial compliance with the Judgments delivered in the case at hand, the Court deems appropriate that the State informs the Court about the specific measures adopted to ensure the compliance with the only aspect of the Judgments still pending compliance (*supra* Having Seen clauses 1 and 2) and, as to the expressed commitment (*supra* Considering clause 11), it refers particularly to each of the questionings exposed by the Inter-American Commission during the private hearing (*supra* Considering clause 10) as well as the observations and recommendations submitted by the victim's next of kin in its brief of November 21, 2007 (*supra* Having Seen clause 9). To such end, the State should submit the corresponding documentation to support the measures adopted in the case at hand.

14. That the duty to investigate must be assumed by the State as its own juridical duty and not as a simple formality condemned beforehand to be fruitless,⁹ or as a simple action of individual interests, which depends on the procedural initiative of the victims or their next of kin or of the private contribution of evidentiary elements.¹⁰ This investigation must be carried out through all legal means available and oriented to the determination of the truth and the investigation, persecution, capture, prosecution, and in its case, punishment of all those responsible for the facts, especially when state agents are or could be involved.¹¹ The Court has held that in

⁹ Cf. *Case of Velásquez Rodríguez*. Merits. Judgment of July 29, 1988. Series C No. 4, para. 177; *Case of Miguel Castro-Castro Prison*. Merits, Reparations, and Costs. Judgment of November 25, 2006. Series C No. 160, para. 255; *Case of Ximenes Lopes*. Merits, Reparations, and Costs. Judgment of July 4, 2006. Series C No. 149, para. 148.

¹⁰ Cf. *Case of Velásquez Rodríguez*, *supra* note 8, para. 177; *Case of Penal Miguel Castro Castro*, *supra* note 8, para. 255; *Case of Goiburú et al.* Merits, Reparations, and Costs. Judgment of September 22, 2006. Series C No. 153, para. 117.

¹¹ Cf. *Case of the Pueblo Bello Massacre*. Merits, Reparations, and Costs. Judgment of January 31, 2006. Series C No. 140, para. 143; *Case of the Rochela Massacre*. Merits, Reparations, and Costs.

cases of extra-legal executions and forced disappearance of people, it is essential for the States to effectively investigate and punish all those responsible, as not doing so would create, within the environment of impunity, conditions for this type of facts to occur again, which is contrary to the duty to respect and ensure the rights enshrined in the Convention with regard the victim and the next of kin.¹²

15. That those States Parties to the American Convention that have accepted the binding jurisdiction of the Court are under a duty to fulfill the obligations set by the Tribunal. This obligation includes the State's duty to report on the measures adopted to comply with such decisions of the Court. Timely fulfillment of the State's obligation to report to the Court on the exact manner in which it is complying with each of the aspects ordered by the latter is essential to evaluate the status of compliance in this case.¹³ Furthermore, the General Assembly of the OAS repeated that, in order for the Court to fully meet its obligation to report to the General Assembly on compliance with its judgments, the States Parties need to provide, in time fashion, the information requested by the Court.¹⁴

16. That, for the sake of ensuring and safeguarding the application of the measures ordered by the Court, the Tribunal must be able to prove and have information regarding the execution of the Judgment, which is "the materialization of the protection of the right recognized in the judicial ruling, by the proper application of such ruling."¹⁵

17. That, in accordance with the operative paragraph two of the Judgment on the reparations (*supra* Having Seen clause 2), the State should continue informing the Inter-American Court, semiannually, on the measures adopted to ensure the compliance with the obligation to investigation the facts denounced in the case at hand, prosecute and, if applicable, punish the responsible of the disappearance and death of Mr. Nicholas Chapman Blake.

18. That the Court will consider the general status of the compliance with the Judgment on the Merits (*supra* Having Seen clause 1) and of the Judgment on the

Judgment of May 11, 2007. Series C No. 163, para. 148; *Case of Miguel Castro- Castro Prison*, *supra* note 8, para. 256.

¹² Cf. *Case of Myrna Mack Chang*. Merits, Reparations, and Costs. Judgment of November 25, 2003. Series C No. 101, para. 156, *Case of the Rochela Massacre*, *supra* note 10, para. 148, and *Case of the Pueblo Bello Massacre*, *supra* note 10, para. 146.

¹³ Cf. *Case of Barrios Altos*. Monitoring Compliance with Judgment Order of the Inter-American Court of Human Rights of November 17, 2004; Considering Clause seven; *Case of García Asto and Ramírez Rojas*. *Supra* note 5, Considering clause eight and *Case of Ricardo Canese*. Monitoring Compliance with Judgment Order of the Inter-American Court of Human Rights of September 22, 2006, Considering Clause thirteen.

¹⁴ General Assembly, Resolution AG/RES 2292 (XXXVII-O/07) adopted at the fourth plenary session, held on June 5, 2007, entitled "Observations and Recommendations on the Annual Report of the Inter-American Court of Human Rights."

¹⁵ Cf. *Case of Baena Ricardo et al.* Competence. Judgment of November 28, 2003. Series C No. 104, para. 73 and *Case of Gómez Palomino*, *supra* note 7, Considering clause eight.

reparations (*supra* Having Seen clause 2) once it is provided with the corresponding information on the aspect pending compliance of such Judgments.

THEREFORE:

THE INTER-AMERICAN COURT OF HUMAN RIGHTS,

by virtue of its authority to monitor compliance with its own decisions pursuant to Articles 33, 62(1), 62(3), 65, 67 and 68(1) of the American Convention on Human Rights, and Articles 25(1) and 30 of its Statute and 29(2) of its Rules of Procedure,

DECLARES:

1. That will keep open the procedure to monitor compliance with the operative paragraph three of the Judgment on the merits of January 24, 1998 and operative paragraph two of the Judgment on the reparations of January 22, 1999, in relation to the obligation to make use of all the resources available to investigate the denounced facts and, if applicable, punish the responsible of the disappearance and death of Nicholas Chapman Blake.

AND DECIDES:

1. To request the State to adopt all the measures necessary to promptly and effectively comply with the operative paragraphs of the Judgment on the merits and on the Judgment on the reparations delivered in the case at hand, in accordance with the obligation established in Article 68(1) of the American Convention on Human Rights, which is binding on all the States powers and organs.

2. To order the State to submit to the Inter-American Court of Human Rights, not later than April 1, 2008, a report describing all the measures adopted to comply with the decisions ordered by this Court, pursuant to Considering Clauses 13 and 14 herein.

3. To request the victim's next of kin or his representatives to, within four weeks as of the service of notice of the State's report, submit to the Inter-American Court of Human Rights the observations they deem relevant.

4. To request the Inter-American Commission on Human Rights that, within six weeks as of service of notice of the State's report, submits to the Inter-American Court of Human Rights the observations it deem relevant.

5. To request the State to continue informing the Inter-American Court, on a semiannually basis, on the measures adopted to ensure the compliance with the

orders established by the Court, in accordance with Considering Clause 17 herein.

6. To require the Secretariat of the Inter-American Court of Human Rights to notify this Order to the State, the Inter-American Commission on Human Rights and the victim's next of kin.

Sergio García Ramírez
President

Cecilia Medina Quiroga

Manuel E. Ventura Robles

Diego García-Sayan

Leonardo Franco

Margarette May Macaulay

Rhadys Abreu Blondet

Pablo Saavedra Alessandri
Secretary

So ordered,

Sergio García Ramírez
President

Pablo Saavedra Alessandri
Secretary