

**ORDER OF THE  
INTER-AMERICAN COURT OF HUMAN RIGHTS  
OF SEPTEMBER 10, 1996**

**PROVISIONAL MEASURES REQUESTED BY THE  
INTER-AMERICAN COMMISSION ON HUMAN RIGHTS  
IN THE MATTER OF GUATEMALA**

**COLOTENANGO CASE**

**HAVING SEEN:**

1. The Order of the Inter-American Court of Human Rights (hereinafter "the Court" or "the Inter-American Court") of February 1, 1996, the operative part of which provides as follows:

1. To take note of the measures adopted by the Government of the Republic of Guatemala in compliance with the Order of May 18, 1995.
2. To extend for a period of six months the provisional measures ordered in June 22, 1994 Order of the Court, expanded by the December 1, 1994 Decision and extended by the Order of May 18, 1995.
3. To call upon the Government of the Republic of Guatemala, further to the measures already in place, to institute mechanisms of control and vigilance over the civil patrols operating in Colotenango.
4. To call upon the Government of the Republic of Guatemala and the Inter-American Commission on Human Rights to continue to provide periodic reports to the Inter-American Court of Human Rights concerning the measures taken in accordance with the Order of May 18, 1995.
5. To request the Inter-American Commission on Human Rights to consider the appropriateness of submitting this case to the Inter-American Court of Human Rights for its consideration.

2. The reports submitted to the Court by the Government of the Republic of Guatemala (hereinafter "Guatemala" or "the Government") on March 15, May 10 and July 11, 1996, in which it informed the Court of the measures taken pursuant to paragraphs 3 and 4 of the aforementioned Order.

3. The briefs, received at the Inter-American Court of February 22, April 24, May 30 and August 7, 1996, containing the comments of the Inter-American Commission on Human Rights (hereinafter "the Commission" or "the Inter-American Commission") on the Government's reports.

4. The Government's brief of August 21, 1996, in which it requested the Court to extend by six months the provisional measures ordered in the instant case, so as to "*provide a framework of security and tranquillity*" for the process for a friendly settlement in which the two parties are engaged.

5. The Commission's brief of August 30, 1996, in which *"it concurs in the request of the Illustrious Government of Guatemala for an extension of the provisional measures ordered."*

**CONSIDERING:**

1. That the period covered by the extension of the provisional measures, established in paragraph 2 of the Order of February 1, expired on August 1, 1996.

2. That pursuant to the Order of the Inter-American Court of May 18, 1995, Guatemala has punctually and regularly submitted eight reports on the status of the provisional measures in the instant case.

3. That the Commission, for its part, has regularly submitted its comments on the Government's brief and has also reported on the status of the provisional measures ordered.

4. That, by Order of December 1, 1994, the Court decided to call upon the Government of Guatemala to use *"all the means at its disposal to enforce the arrest warrant issued against the 13 patrol members charged as suspects in the case before the Second Trial Court of Huehuetenango involving the criminal acts which took place on August 3, 1993, in Colotenango."*

5. That, according to the latest brief from the Inter-American Commission, on April 25 last the First Trial Court of Huehuetenango acquitted the nine patrolmen detained in connection with the Colotenango case, an event which the Commission claims *"increases the risk to the inhabitants and their fear of further reprisals."*

6. That in the brief presented on August 21, 1996 the Government requests that the Court extend for a period of six months the provisional measures ordered in this case *"for the purpose of providing a framework of security and tranquillity for the... process for a friendly settlement"* initiated through the good offices of the Inter-American Commission.

7. That the Commission acceded to the Government's request for the extension of the provisional measures ordered by the Court.

**NOW, THEREFORE:**

**THE INTER-AMERICAN COURT OF HUMAN RIGHTS,**

pursuant to Article 63(2) of the American Convention on Human Rights,

**DECIDES:**

1. To take note of the measures adopted by the Government of the Republic of Guatemala, pursuant to the Order of February 1, 1996.

2. To maintain for six months as of this day the provisional measures in force in the instant case.

Done in Spanish and English, the Spanish text being authentic, at the seat of the Court in San José, Costa Rica on this tenth day of September, 1996.

Héctor Fix-Zamudio  
President

Hernán Salgado-Pesantes

Alejandro Montiel-Argüello

Alirio Abreu-Burelli

Antônio A. Cançado Trindade

Manuel E. Ventura-Robles  
Secretary

So ordered,

Héctor Fix-Zamudio  
President

Manuel E. Ventura-Robles  
Secretary