



# Provisional Measures

## VI. Provisional Measures

During 2022, the Court issued 16 orders on Provisional Measures. These orders have different purposes, such as: (i) adoption of Provisional or Urgent Measures; (ii) continuation or, when appropriate, expansion of Provisional Measures; (iii) total or partial lifting of measures; (iv) rejection of requests to expand Provisional Measures, and (vi) rejection of requests for Provisional Measures. In addition, during the year, one procedure was conducted to monitor the implementation of Provisional Measures, and four public hearings were held on Provisional Measures.<sup>104</sup>

*During 2022 the Court issued*

**16** Resolutions of  
Provisional Measures



### A. Adoption

#### 1. Matter of 45 Persons Deprived of their Liberty in 8 Detention Centers with regard to Nicaragua

On September 7, 2022, the Inter-American Commission on Human Rights submitted a request for Provisional Measures for the State: (i) to adopt forthwith the necessary measures to provide effective protection to the life, integrity, health, access to food, and liberty of 45 persons deprived of liberty in 8 detention centers and their direct families (the proposed beneficiaries), with a gender-based approach, as applicable, and (ii) to release immediately the 45 persons identified, deprived of their liberty in Nicaragua, owing to their severe and inhuman detention conditions, the lack of medical care, and the serious deterioration of their physical and mental health.

<sup>104</sup> Private Hearing for Supervision of Provisional Measures in the Vélez Looz v. Panama Case; Public Hearing on Provisional Measures and Supervision of Compliance with the Obligation to Investigate in the Valenzuela Ávila and Ruiz Fuentes v. Guatemala Cases. and Supervision of Compliance with the Obligation to Investigate in the Cases of Valenzuela Ávila and Ruiz Fuentes v. Guatemala; joint hearing on the request for Provisional Measures in the Cases of Bámaca Velásquez, Maritza Urrutia, Plan de Sánchez Massacre, Chitay Nech et al., Río Negro Massacres, and Gudiel Álvarez et al. ("Diario Militar") v. Guatemala and public hearing in the Matter of 45 persons deprived of their liberty in eight detention centers with respect to Nicaragua and Matter of Juan Sebastián Chamorro et al. with respect to Nicaragua.

In an order of October 4, 2022, the Court noted that the 45 persons<sup>105</sup> to which this matter referred were in a grave and urgent situation owing to their detention conditions that violated their personal integrity and dignity. In addition, because the proposed beneficiaries had been identified as members of the opposition, they had become the target of threats from other inmates and the prison authorities. The Court also noted that, in some cases, such threats had resulted in assaults. In other words, these persons were in a situation of grave risk to their life and personal integrity.

Additionally, the Court determined that the detention conditions had endangered the health of the proposed beneficiaries, which had deteriorated during their detention. An example of this situation is the Case of Mr. Castro Baltodano, who had suffered a severe deterioration in his health owing to the lack of adequate medical care, to the point that he was currently in a critical condition in the Hospital Escuela Antonio Lenin Fonseca Martínez. In this regard, the Court has indicated that prison authorities must ensure that, when the nature of the medical condition so requires, health must be monitored regularly and systematically with the aim of curing the detainees' ailments or preventing their exacerbation, rather than merely treating the symptoms. However, according to information provided by the Commission, the proposed beneficiaries had not received adequate medical attention to treat their ailments, and this placed them in a situation of risk to their life, personal integrity and health.

The Court also determined that the women who form part of the group of proposed beneficiaries are in a situation of particular gravity and urgency, owing to the high probability of risks to their life, integrity and health. Indeed, in addition to enduring conditions similar to those of the other detainees, they do not have access to specific services for their differentiated needs.

Furthermore, the Court expressed its particular concern in relation to the situation described by the Commission according to which the female members of the family groups are being subjected to excessive body searches, nudity, and groping. One female family member had even been a victim of sexual violence. The Court also noted with great concern that children who go to the detention centers to visit their family members are being subjected to excessive body searches that include their genitals.

The Court found that the State had not provided information regarding the adoption of measure to address the situation described, despite its requests. Based on all the foregoing, the Court considered that there was sufficient evidence to determine the existence of a situation of extreme gravity and, therefore, the urgent need to adopt all necessary measures to avoid irreparable harm to the rights to life, personal integrity and health of the 45 persons.

Consequently, the Court found it necessary, owing to the exceptional circumstances of this matter, to order the immediate release of the 45 persons identified. In addition, the State should adopt the necessary measures to guarantee their life, integrity, health, adequate food, and personal liberty, as well as that of their family group.

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105 (1) Jhon Cristopher Cerna Zúñiga; (2) Fanor Alejandro Ramos; (3) Edwin Antonio Hernández Figueroa; (4) Víctor Manuel Soza Herrera; (5) Michael Rodrigo Samorio Anderson; (6) Néstor Eduardo Montealto Núñez; (7) Francisco Xavier Pineda Guatemala; (8) Manuel de Jesús Sobalvarro Bravo; (9) Richard Alexander Saavedra Cedeño; (10) Luis Carlos Valle Tinoco; (11) Víctor Manuel Díaz Pérez; (12) Nilson José Membreño; (13) Edward Enrique Lacayo Rodríguez; (14) Maycol Antonio Arce; (15) María Esperanza Sánchez García; (16) Karla Vanessa Escobar Maldonado; (17) Samuel Enrique González; (18) Mauricio Javier Valencia Mendoza; (19) Jorge Adolfo García Arancibia; (20) Leyving Eliezer Chavarría; (21) Carlos Antonio López Cano; (22) Lester José Selva; (23) Eliseo de Jesús Castro Baltodano; (24) Kevin Roberto Solís; (25) José Manuel Urbina Lara; (26) Benjamín Ernesto Gutiérrez Collado; (27) Yubrank Miguel Suazo Herrera; (28) Yoel Ibzán Sandino Ibarra; (29) José Alejandro Quintanilla Hernández; (30) Marvin Antonio Castellón Ubilla; (31) Lázaro Ernesto Rivas Pérez; (32) Gustavo Adolfo Mendoza Beteta; (33) Denis Antonio García Jirón; (34) Danny de los Ángeles García González; (35) Steven Moisés Mendoza; (36) Wilber Antonio Prado Gutiérrez; (37) Walter Antonio Montenegro Rivera; (38) Max Alfredo Silva Rivas; (39) Gabriel Renán Ramírez Somarriba; (40) Wilfredo Alejandro Brenes Domínguez; (41) Marvin Samir López Namendis; (42) Irving Isidro Laríos Sánchez; (43) Roger Abel Reyes Barrera; (44) José Antonio Peraza Collado, and (45) Rusia Evelyn Pinto Centeno.

The Court also found that the situation described was in addition to the one examined recently in the Matter of Juan Sebastián Chamorro et al. with regard to Nicaragua.

Based on the above, in order to receive updated information on the implementation of the Provisional Measures adopted, the Court considered it necessary to call a public hearing to be held during its 154<sup>th</sup> Regular Session.

Here is the order of October 4, 2022.

## **2. Case of Gudiel Álvarez et al. ("Diario Militar") v. Guatemala**

On November 20, 2012, the Court delivered the Judgment on Merits, Reparations and Costs in the Case of Gudiel Álvarez et al. ("Diario Militar") v. Guatemala. On June 14, 2022, the victims' representatives submitted to the Court a request for Provisional Measures for the Court to require Guatemala to implement measures of protection "in favor of Judge Miguel Ángel Gálvez Aguilar, head of the Guatemalan Judiciary's High Risk Court B."

In an order of July 8, 2022, the President decided to require the State of Guatemala, in order to guarantee the right of access to justice of the victims in the Case of Gudiel Álvarez et al. ("Diario Militar"), to adopt immediately and individually, the necessary measures to provide effective protection to the rights to life and personal integrity of Judge Miguel Ángel Gálvez Aguilar, head of the Guatemalan Judiciary's High Risk Court B, and also his direct family, and to guarantee the judicial independence of Judge Gálvez Aguilar. It also required the State to adjust the security strategy and measures assigned to Judge Miguel Ángel Gálvez Aguilar and his direct family.

On September 9, 2022, the Court decided to ratify the order of the President of July 8, 2022, on the adoption of urgent measures. Thus, it required the State of Guatemala to guarantee the right of access to justice to the victims in the Case of Gudiel Álvarez et al. ("Diario Militar"). It also ordered the State to continue adopting all appropriate measures to provide effective protection to the rights to life and personal integrity of Judge Miguel Ángel Gálvez Aguilar, head of the Guatemalan Judiciary's High Risk Court B, and his direct family, and to adopt the necessary measures to guarantee the judicial independence of Judge Gálvez Aguilar. It also required the State to adopt the necessary measures to address the pattern of events that were increasing the risk to Judge Gálvez Aguilar, based on the indications in the considerations set out in the order. The Court ordered the State to maintain the security strategy and measures assigned to Judge Miguel Ángel Gálvez Aguilar and his direct family, and to continue adopting them by mutual agreement and in coordination with the beneficiary and his representatives.

Here are the orders of July 8, 2022, and September 9, 2022.

## **3. Matter of Members of the Yanomami, Ye'kwana and Munduruku Indigenous Peoples with regard to Brazil**

On May 17, 2022, the Inter-American Commission submitted a request for Provisional Measures to the Court. The request did not originate from a case that the Court was examining, but rather in the context of two Precautionary Measures adopted by the Inter-American Commission in July and December 2020, to benefit the members of the Yanomami and Ye'kwana indigenous peoples who live in the Yanomami Indigenous Territory, and the members of the Munduruku indigenous people, who live in the Munduruku Territories, Sai Cinza, Kayabi, the Praia do Índio and Praia do Mangue Reserves, Sawré Muybu and Sawré Bapin.

In an order of July 1, 2022, the Court noted that the members of the Yanomami, Ye'Kwana and Munduruku indigenous peoples were subject to a significant increase in exploitation of the so-called illegal mining activity on indigenous lands by third parties who were not authorized to enter their territory, among others, and this was resulting in: (i) the murder of indigenous adults and children, as well as deaths derived from mining operations; (ii) sexual violence against indigenous women and girls; (iii) threats against indigenous leaders, some of whom play a very important role in the community; (iv) non-voluntary displacement of some indigenous communities threatened by the ever-closer presence of "garimpeiros" and by the products of their activities; (v) the dissemination of diseases among the population, especially due to Covid-19 infections, given their particular immunological vulnerability, and (vi) the pollution of the rivers that contribute to the survival of the indigenous peoples, especially with mercury – as a result of gold mining – and deforestation, which severely impacts the health and food security of the proposed beneficiaries. The Court also took into consideration reports that the threats, harassment, murders and Cases of rape of indigenous women and girls had continued and possibly increased while the Precautionary Measures were in effect.

The Court noted the complexity of the situation described by the Commission and considered that the information presented revealed, *prima facie*, a situation of extreme gravity and urgency because, despite measures of protection having been ordered at the domestic level and Precautionary Measures by the Commission, the members of the Yanomami, Ye'Kwana and Munduruku indigenous peoples were subject to a series of threats, physical and sexual violence, vandalism, and gunfire, the pollution of their rivers, affecting their health and their access to drinking water and food, which appeared to be increasing owing to the presence of unauthorized individuals and the increase in the exploitation of so-called illegal mining in their territories. Therefore, the Court considered that there was an urgent need to adopt the necessary measures to avoid irreparable harm to the rights to life, personal integrity, health and access to food and drinking water of the members of the Yanomami, Ye'Kwana and Munduruku indigenous peoples. In view of the alleged increase and intensification of the violence against them, and the absence of effective measures by the State of Brazil to mitigate the situation, there was a latent risk that this harm would continue and escalate.

Consequently, the Court ordered the State of Brazil to adopt the necessary measures to provide effective protection to the life, personal integrity, health and access to food and drinking water of the members of the Yanomami, Ye'Kwana and Munduruku indigenous peoples, from a culturally appropriate perspective, with an age and gender-based approach. It also required the State to adopt the necessary measures to prevent the sexual exploitation and violence of the women and girls of the beneficiary indigenous peoples, and also to adopt culturally appropriate measures to prevent the propagation and to mitigate the contagion of diseases, especially Covid-19, providing the beneficiaries with adequate medical care in keeping with the applicable international norms. The Court also required the State to adopt the necessary measures to protect the life and personal integrity of the indigenous leaders of the beneficiary indigenous peoples who have been threatened, and to require the State to coordinate immediately the planning and implementation of the foregoing measures with the representatives of the beneficiaries and to keep them informed of any progress in their execution.

#### **4. Cases of Bámaca Velásquez, Maritza Urrutia, Plan De Sánchez Massacre, Chitay Nech et al., Río Negro Massacres, and Gudiel Álvarez et al. ("Diario Militar") v. Guatemala**

The Inter-American Court delivered judgments on Merits, Reparations and Costs on February 22, 2002, in the Case of Bámaca Velásquez; on November 27, 2003, in the Case of Maritza Urrutia; on November 19, 2004, in the Case of the Plan de Sánchez Massacre; on May 25, 2010, in the Case of Chitay Nech et al.; on

September 4, 2012, in the Case of the Río Negro Massacres, and on November 20, 2012, in the Case of Gudiel Álvarez et al. ("Diario Militar"), all against Guatemala. On June 21, 2022, the victims' representatives submitted a request for Provisional Measures for the Court to require Guatemala to implement measures of protection "in favor of Elena Gregoria Sut Ren, head prosecutor of the Guatemalan Human Rights Prosecution Service, who was involved in the investigation into the said six cases, and her family, in order to avoid irreparable harm to their rights to life and personal integrity, and her independence in the exercise of her functions, as well as the right of access to justice of the victims in those cases.

On July 11, 2022, the President of the Inter-American Court issued an order requiring the State of Guatemala, until the full Court could decide on the request for Provisional Measures, to adopt, immediately, all necessary urgent measures to provide effective protection to the rights to life and personal integrity of prosecutor Elena Gregoria Sut Ren and her direct family, and to guarantee her independence in the exercise of her functions and, thereby, guarantee the right of access to justice of the victims.

On November 22, 2022, the Court decided to ratify the order of the President of July 11, 2022, on the adoption of urgent measures. Consequently, in order to guarantee the victims' right of access to justice, it required the State of Guatemala to continue adopting all appropriate measures to provide effective protection to the rights to life and personal integrity of Elena Gregoria Sut Ren, head prosecutor of the Guatemalan Human Rights Prosecution Service, and also her direct family. It also ordered the State to adopt the necessary measures to guarantee prosecutor Sut Ren's independence in the exercise of her functions. The State was also required to adopt the necessary measures to address the pattern of events that had resulted in an increase in the risk faced by prosecutor Sut Ren, as indicated in the considering paragraphs of the order, and to maintain the security strategy and measures assigned to Elena Gregoria Sut Ren, and also her direct family, and to continue adopting them by mutual agreement and in coordination with the beneficiary and her representatives.

Here are the orders of [July 11, 2021](#) and [November 22, 2022](#).

## B. Requests for Provisional Measures channeled through monitoring compliance with Judgment

### 1. Cases of Barrios Altos and La Cantuta v. Peru

The victims' representatives in the Cases of Barrios Altos and La Cantuta, both v. Peru submitted a request for Provisional Measures on March 16 and 17, 2022. The representatives related their request to the obligation to investigate, prosecute and punish, ordered in both cases, and asked that the Court:

[...] order the Peruvian State to refrain from adopting measures aimed at guaranteeing the impunity of the persons who had been convicted in those cases in order to ensure access to justice for the victims and to avoid delays in complying with its international obligations[;]

[...] convene [...] a public hearing [, and]

[i]f instructions are given to release Fujimori Fujimori, to issue an order establishing that these are null and void based on its Case Law and the decision of May 30, 2018, in the cases in reference.

During the processing of the request for Provisional Measures, the parties advised that, on March 28, 2022, a judgment had been published on the Constitutional Court's website declaring admissible an application for habeas corpus in favor of Alberto Fujimori which reinstated the effects of a resolution granting him a pardon "on humanitarian grounds" and ordering his "immediate release."



Consequently, on March 30, 2022, the Court adopted a first order on the request for Provisional Measures, in which it required Peru to “refrain from executing the order of the Peruvian Constitutional Court requiring the release of Alberto Fujimori Fujimori until this Court is able to decide on the request for Provisional Measures during its 147<sup>th</sup> Regular Session,” and convened a public hearing which was held virtually on April 1, 2022.

On April 7, 2022, the Court adopted a second order on the request for Provisional Measures and monitoring compliance with Judgment. In that order, the Court underscored that “the Provisional Measures requiring that no action be taken in its order of March 30, 2022, [...], met their objective that the immediate release of Mr. Fujimori ordered in the Judgment of the Constitutional Court was not executed until this international court was able to examine the merits of the request and issue a decision on them.” It also indicated that “at this time, it is not appropriate to order Provisional Measures in these cases, but rather channel the analysis of the situation through monitoring compliance with the Judgments.”

The Court also decided to require the State of Peru, in order to guarantee the right of access to justice of the victims in the Barrios Altos and La Cantuta cases, to refrain from executing the order of the Peruvian Constitutional Court requiring the release of Alberto Fujimori Fujimori, “until this international court is able to decide on the request for Provisional Measures during its 147<sup>th</sup> Regular Session.”

The above requirement was made in relation to the said obligation to investigate, prosecute and punish because, in 2009, Alberto Fujimori had been sentenced to 25 years’ imprisonment for his participation, by having command responsibility, in the crimes of murder and severe injuries to the detriment of the victims in the Barrios Altos and La Cantuta cases, and those crimes had been classified as “crimes against humanity under international criminal law.” The Inter-American Court had assessed this positively in its 2009 and 2012 orders on monitoring compliance with Judgment. Consequently, to ensure that irreversible harm did not occur to the victims’ right of access to justice before it is able to examine the Provisional Measures that were requested, the Court decided to order the State of Peru to refrain from executing the order of the Peruvian Constitutional Court requiring the release of Alberto Fujimori Fujimori.

Here are the orders of March 30 and April 7, 2022.

## **2. Case of J. v. Peru**

During the stage of monitoring compliance with Judgment in the Case of J. v. Peru, the victims’ representative submitted a request for Provisional Measures dated April 14, 2022. In this request, he asked the Court to adopt Provisional Measures in favor of J. to protect her rights “to personal liberty and due process,” and related the request to a measure of reparation ordered in the Judgment which required the State to “ensure that, in the proceedings against J., all the requirements of due process of law are followed, with full guarantees of a hearing and defense for the accused.”

On June 24, 2022, the Court issued an order in relation to the request for Provisional Measures and monitoring compliance with Judgment. In it, the Court noted that the representative’s request was closely connected to the measure of reparation ordered and to the criteria to be observed by the State in its implementation. Therefore, it considered that “the information and arguments set out by the representative in the request for Provisional Measures should be assessed within the framework of monitoring compliance with the Judgment in question and not under an analysis of the Convention-based requirements for Provisional Measures,” and declared inadmissible the adoption of the Provisional Measures requested.

Here is the order of June 24, 2022.

### 3. Case of the Dismissed Workers of Petroperu et al. v. Peru

On November 23, 2017, the Court delivered the Judgment on Preliminary Objections, Merits, Reparations and Costs in the Case of the Dismissed Workers of Petroperu et al. v. Peru. On August 11, 2022, a common intervenor for the victims' representatives submitted a request for Provisional Measures to the Court.

The request related to the need for financial assistance, on the one hand, to pay for the expenses of an elderly victim owing to his significant health problems and, on the other, to cover the expenses of a dignified burial for an heir of a deceased victim. The intervenor argued that the deterioration in health of those persons and their "precarious financial situation" were related to the fact that the State had not paid the compensation ordered in the Judgment that corresponded to them: to Gerry Quevedo as the heir of his father, a victim in the case. The intervenor requested Provisional Measures to protect the "rights to health, life and integrity" and "the right to a dignified burial."

On August 9, 2022, the President of the Inter-American Court advised the parties and the Inter-American Commission in a Secretariat note that the request for Provisional Measures was inadmissible because it "bore no relationship to the purpose of the case," in the terms of Article 27(3) of the Court's Rules of Procedure.

On September 9, 2022, the Court issued an order in which it considered that the said request, which claimed to protect the right to health and a dignified burial, was inadmissible because it "bore no relationship to the purpose of the case," in the terms of Article 27(3) of the Court's Rules of Procedure. This was because: (a) the situation and health care of the victims and their family members had not been the subject of an analysis in the Judgment or in the reparation ordered; (b) the dignified burial of a victim or his family members was not a reparation ordered in the Judgment, and (c) reparations were not established in favor of the victims' family members, other than receiving the amount that corresponded to them as heirs of deceased victims.

The Court also considered that payment of the compensation for pecuniary and non-pecuniary damage established in favor of the victims Helber Roel Romero Rivera and Leither Quevedo Saavedra, and the distribution of the compensation due to the latter victim among his heirs corresponded to monitoring compliance with Judgment. Consequently, the Court found it inadmissible to adopt the Provisional Measures requested in this case. The information and arguments submitted by the common intervenor, the State and the Commission must be assessed in the context of monitoring compliance with the Judgment and not under an analysis of the Convention-based requirements for Provisional Measures.

## C. Requests for Provisional Measures rejected

### 1. Case of García Rodríguez et al. v. México

On August 25, 2022, the Court issued an order on Provisional Measures in which it decided to reject the request for Provisional Measures in favor of Daniel García Rodríguez and Reyes Alpízar Ortiz, considering that it was not possible to discern, *prima facie*, that Daniel García Rodríguez and Reyes Alpízar Ortiz were – as required by Article 63(2) of the American Convention – in a situation of "extreme gravity and urgency" related to the possibility of "irreparable harm."

Here is the order of March 23, 2022.



## 2. Case of *García and family members v. Guatemala*

On November 22, 2022, the Court issued an order on Provisional Measures and monitoring compliance with Judgment in which it decided to declare inadmissible the request for Provisional Measures submitted by the representatives of the victims in this case, considering that it was not possible to discern the existence of sufficient evidence to determine that a situation had been constituted, *prima facie*, of extreme gravity and the urgent need for the Court to order the adoption of measures to avoid irreparable harm to the rights to life, personal integrity and Assembly in favor of those who requested the Provisional Measures.

## 3. Case of the *Tagaeri and Taromenane Indigenous Peoples v. Ecuador*

On October 18, 2022, the Court issued an order on Provisional Measures in which it decided to reject the request for Provisional Measures in favor of Tewe Dayuma Michela Conta, considering that the events denounced by the representatives of the alleged victim did not allow it to discern, *prima facie*, that they met the requirements of “extreme gravity and urgency” related to the possibility of “irreparable harm,” as required by Article 63(2) of the American Convention, and insufficient arguments and evidence had been presented to allow the Court to determine that a situation of sufficient gravity existed that jeopardized fundamental rights or that was irreparable.

Here is the order of [October 18, 2022](#).

## D. Measures lifted

### 1. Case of *Vélez Lóor v. Panama*

On May 25, 2022, following an on-site visit to the province of Darién and a private hearing in Panama City, on March 17 and 18, 2022, the Court issued an order in the Case of *Vélez Lóor v. Panama* in which it decided to lift the Provisional Measures ordered in the second and third operative paragraph of the order of July 29, 2020, and in the first, second and fourth operative paragraphs of the order of June 24, 2021.

The Court considered that “at the present time, the situation of extreme gravity related to the COVID-19 pandemic that existed when these measures were adopted no longer exists,” and noted the important actions taken by the State while the measures were in force to guarantee the life, integrity and health of the migrants covered by the measures. Therefore, it decided “[t]o lift the Provisional Measures ordered” and “[t]o declare that the Court will continue monitoring compliance with the reparation ordered [...], despite lifting the Provisional Measures,” and to close the case file.

Here is the order of [May 25, 2022](#).

## E. Contempt of court and presentation of the situation to the OAS Permanent Council and the General Assembly (application of Article 65)

### 1. Matter of Juan Sebastián Chamorro et al. with regard to Nicaragua

On May 25, 2022, in the context of the Provisional Measures adopted on June 24, 2021, and expanded by orders of September 9 and November 4 that year, the Court decided to require the State to proceed to the immediate release of 9 persons.<sup>106</sup> It also required the State to adopt immediately the necessary measures to provide effective protection to the life, integrity and liberty of the persons identified in the order and their direct family in Nicaragua.

On September 7, 2022, the Inter-American Commission on Human Rights presented a request for Provisional Measures, for the Court to require the Republic of Nicaragua to adopt forthwith the necessary measures to protect the life, personal integrity, health and personal liberty of 45 persons including their direct family members in Nicaragua. In an order of October 4, 2022, the Court concluded that there was sufficient evidence to determine the existence of a situation of extreme gravity and, therefore, the urgent need to adopt all necessary measures to avoid irreparable harm to the rights to life, personal integrity and health of the 45 persons<sup>107</sup> and their direct family members in Nicaragua. The Court also found it necessary to convene a public hearing to be held on November 9, 2022, in order to receive updated information on the implementation of the Provisional Measures ordered.

106 (1) Michael Edwing Healy Lacayo; (2) Álvaro Javier Vargas Duarte; (3) Medardo Mairena Sequeira; (4) Pedro Joaquín Mena Amador; (5) Jaime José Arellano Arana; (6) Miguel Ángel Mendoza Urbina; (7) Mauricio José Díaz Dávila; (8) Max Isaac Jerez Meza and (9) Edgar Francisco Parrales.

107 (1) Jhon Christopher Cerna Zúñiga; (2) Fanor Alejandro Ramos; (3) Edwin Antonio Hernández Figueroa; (4) Víctor Manuel Soza Herrera; (5) Michael Rodrigo Samorio Anderson; (6) Néstor Eduardo Montealto Núñez; (7) Francisco Xavier Pineda Guatemala; (8) Manuel de Jesús Sobalvarro Bravo; (9) Richard Alexander Saavedra Cedeño; (10) Luis Carlos Valle Tinoco; (11) Víctor Manuel Díaz Pérez; (12) Nilson José Membreño; (13) Edward Enrique Lacayo Rodríguez; (14) Maycol Antonio Arce; (15) María Esperanza Sánchez García; (16) Karla Vanessa Escobar Maldonado; (17) Samuel Enrique González; (18) Mauricio Javier Valencia Mendoza; (19) Jorge Adolfo García Arancibia; (20) Leyving Eliezer Chavarría; (21) Carlos Antonio López Cano; (22) Lester José Selva; (23) Eliseo de Jesús Castro Baltodano; (24) Kevin Roberto Solís; (25) José Manuel Urbina Lara; (26) Benjamín Ernesto Gutiérrez Collado; (27) Yubrank Miguel Suazo Herrera; (28) Yoel Ibzán Sandino Ibarra; (29) José Alejandro Quintanilla Hernández; (30) Marvin Antonio Castellón Ubilla; (31) Lázaro Ernesto Rivas Pérez; (32) Gustavo Adolfo Mendoza Beteta; (33) Denis Antonio García Jirón; (34) Danny de los Ángeles García González; (35) Steven Moisés Mendoza; (36) Wilber Antonio Prado Gutiérrez; (37) Walter Antonio Montenegro Rivera; (38) Max Alfredo Silva Rivas; (39) Gabriel Renán Ramírez Somarriba; (40) Wilfredo Alejandro Brenes Domínguez; (41) Marvin Samir López Namendis; (42) Irving Isidro Larios Sánchez; (43) Roger Abel Reyes Barrera; (44) José Antonio Peraza Collado, and (45) Rusia Evelyn Pinto Centeno.

Subsequently, in an order of November 22, 2022, the Court decided to maintain the Provisional Measures that it had required in its orders of June 24, September 9, November 4 and 22, 2021, and May 25 and October 4, 2022, in favor of 76 persons and their direct families in Nicaragua.<sup>108</sup>

The Court also decided to denounce the State's non-compliance with the measures required in the orders of June 24, September 9, and November 4 and 22, 2021, and May 25 and October 4, 2022, issued by this Court, and the failure of the State of Nicaragua to appear at the joint public hearing convened by the Court on November 9, 2022; to instruct the President of the Court to present in person to the Permanent Council of the Organization of American States a report on the situation of permanent contempt of court and absolute lack of protection in which the beneficiaries of the Provisional Measures identified in the sixth operative paragraph find themselves; to urge the OAS Permanent Council, in application of the collective guarantee, to follow up on the failure to comply with these Provisional Measures and on the situation of the persons identified in the sixth operative paragraph and to require the State to comply with the measures ordered by this Court, and to incorporate into the next Annual Report of the Inter-American Court of Human Rights the decisions taken in this order so as to inform the General Assembly of the Organization of American States, in application of Article 65 of the American Convention on Human Rights, of the non-compliance by the State of Nicaragua with the measures required in the orders of November 4 and 22, 2021, and May 25 and October 4, 2022.

Here are the orders of May 25, 2022, October 4, 2022 and November 22, 2022.

## CURRENT STATUS OF PROVISIONAL MEASURES

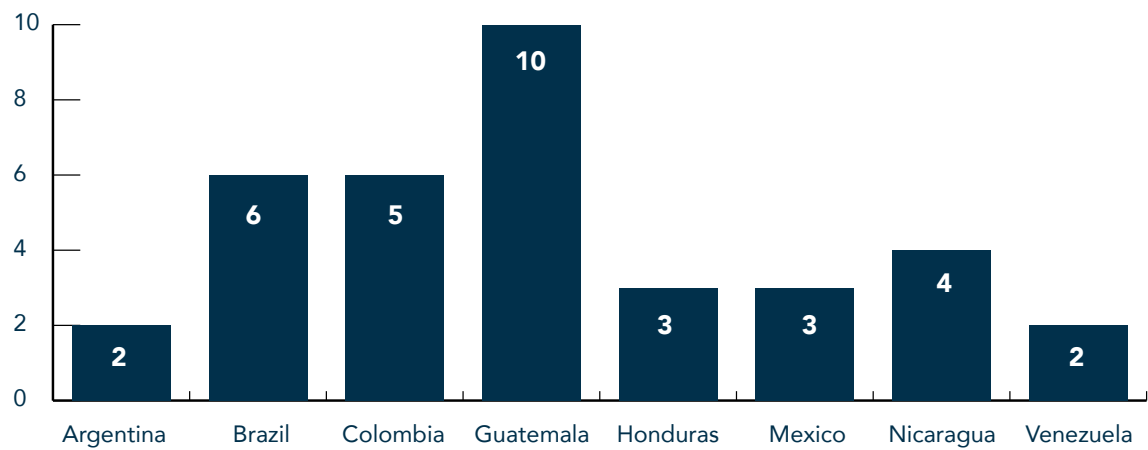
No.	Name	State	Year
1	Torres Miacura et al.	Argentina	2017
2	Matter of Milagro Sala with regard to Argentina	Argentina	2017
3	Matter of the Socio-educational Internment Unit with regard to Brazil	Brazil	2011

108 1. Juan Sebastián Chamorro García, 2. José Adán Aguerri Chamorro, 3. Félix Alejandro Maradiaga Blandón, 4. Violeta Mercedes Granera Padilla, 5. Daisy Tamara Dávila Rivas, 6. Lesther Lenin Alemán Alfaro, 7. Freddy Alberto Navas López, 8. Cristiana María Chamorro Barrios, 9. Pedro Joaquín Chamorro Barrios, 10. Walter Antonio Gómez Silva, 11. Marcos Antonio Fletes Casco, 12. Lourdes Arróliga, 13. Pedro Salvador Vásquez, 14. Arturo José Cruz Sequeira, 15. Luis Alberto Rivas Anduray, 16. Miguel de los Ángeles Mora Barberena, 17. Dora María Téllez Arguello, 18. Ana Margarita Vijil Gudián, 19. Suyen Barahona Cuán, 20. Jorge Hugo Torres Jiménez, 21. Víctor Hugo Tinoco Fonseca, 22. José Bernard Pallais Arana, 23. Michael Edwing Healy Lacayo, 24. Álvaro Javier Vargas Duarte, 25. Medardo Mairena Sequeira, 26. Pedro Joaquín Mena Amador, 27. Jaime José Arellano Arana, 28. Miguel Ángel Mendoza Urbina, 29. Mauricio José Díaz Dávila, 30. Max Isaac Jerez Meza, 31. Edgar Francisco Parrales, 32. Jhon Cristopher Cerna Zúñiga, 33. Fanor Alejandro Ramos, 34. Edwin Antonio Hernández Figueroa, 35. Víctor Manuel Soza Herrera, 36. Michael Rodrigo Samorio Anderson, 37. Néstor Eduardo Montealto Núñez, 38. Francisco Xavier Pineda Guatemala, 39. Manuel de Jesús Sobalvarro Bravo, 40. Richard Alexander Saavedra Cedeño, 41. Luis Carlos Valle Tinoco, 42. Víctor Manuel Díaz Pérez, 43. Nilson José Membreño, 44. Edward Enrique Lacayo Rodríguez, 45. Maycol Antonio Arce, 46. María Esperanza Sánchez García, 47. Karla Vanessa Escobar Maldonado, 48. Samuel Enrique González, 49. Mauricio Javier Valencia Mendoza, 50. Jorge Adolfo García Arancibia, 51. Leyving Eliezer Chavarría, 52. Carlos Antonio López Cano, 53. Lester José Selva, 54. Eliseo de Jesús Castro Baltodano, 55. Kevin Roberto Solís, 56. José Manuel Urbina Lara, 57. Benjamín Ernesto Gutiérrez Collado, 58. Yubrank Miguel Suazo Herrera, 59. Yoel Ibzán Sandino Ibarra, 60. José Alejandro Quintanilla Hernández, 61. Marvin Antonio Castellón Ubilla, 62. Lázaro Ernesto Rivas Pérez, 63. Gustavo Adolfo Mendoza Beteta, 64. Denis Antonio García Jirón, 65. Danny de los Ángeles García González, 66. Steven Moisés Mendoza, 67. Wilber Antonio Prado Gutiérrez, 68. Walter Antonio Montenegro Rivera, 69. Max Alfredo Silva Rivas, 70. Gabriel Renán Ramírez Somarriba, 71. Wilfredo Alejandro Brenes Domínguez, 72. Marvin Samir López Ñamendis, 73. Irving Isidro Larios Sánchez, 74. Roger Abel Reyes Barrera, 75. José Antonio Peraza Collado, and 76. Rusia Evelyn Pinto Centeno.

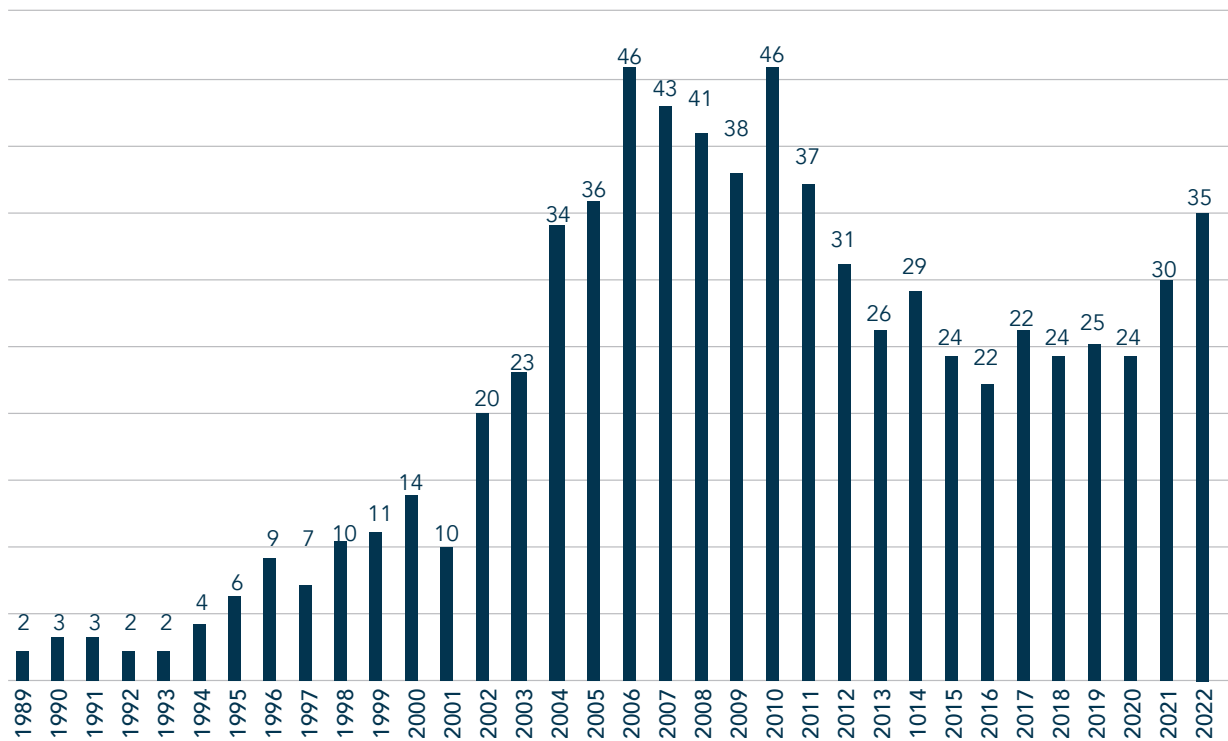
No.	Name	State	Year
4	Matter of the Curado Prison with regard to Brazil	Brazil	2014
5	Matter of the Pedrinhas Prison with regard to Brazil	Brazil	2014
6	Matter of the Plácido de Sá Carvalho Prison with regard to Brazil	Brazil	2017
7	Case of Tavares Pereira et al. v. Brazil	Brazil	2021
8	Matter of Members of the Yanomami, Ye'kwana and Mundurucu Indigenous Peoples	Brazil	2022
9	Matter of Almanza Suárez with regard to Colombia	Colombia	1997
10	Matter of the Peace Community of San José de Apartadó with regard to Colombia	Colombia	2000
11	Matter of Mery Naranjo et al. v. Colombia	Colombia	2006
12	Case of the 19 Traders v. Colombia	Colombia	2010
13	Matter of Danilo Rueda with regard to Colombia	Colombia	2014
14	Case of Bámaca Velásquez v. Guatemala	Guatemala	1998
15	Matter of the Guatemalan Forensic Anthropology Foundation with regard to Guatemala	Guatemala	2007
16	Case of Mack Chang et al. v. Guatemala	Guatemala	2009
17	Case of Members of the village of Chichupac, Case of Molina Theissen and another 12 cases against Guatemala	Guatemala	2019
18	Case of Valenzuela Ávila and Ruíz Fuentes et al. v. Guatemala	Guatemala	2021
19	Case of Gudiel Álvarez et al. ("Diario Militar")	Guatemala	2022
20	Case of Maritza Urrutia	Guatemala	2022
21	Case of the Plan de Sánchez Massacre	Guatemala	2022

No.	Name	State	Year
22	Case of Chitay Nech et al.	Guatemala	2022
23	Case of the Río Negro Massacres	Guatemala	2022
24	Case of Fernández Ortega v. México	México	2012
25	Case of the Punta Piedra Garifuna Community and its members and the Triunfo de la Cruz Garifuna Community and its members	Honduras	2021
26	Case of Kawas Fernández	Honduras	2008
27	Case of Vicky Hernández et al.	Honduras	2020
28	Matter of Castro Rodríguez with regard to México	México	2013
29	Matter of the Choréachi Indigenous Community with regard to México	México	2017
30	Matter of the Inhabitants of the Communities of Miskitu Indigenous People with regard to Nicaragua	Nicaragua	2016
31	Matter of Members of the Nicaraguan Human Rights Center and of the Permanent Human Rights Commission	Nicaragua	2019
32	Matter of Juan Sebastián Chamorro et al. v. Nicaragua	Nicaragua	2021
33	Matter of 11 persons deprived of liberty in 3 detention centers and their direct families, within the framework of the Provisional Measures adopted in the Matters of Juan Sebastián Chamorro et al. and 45 personas deprived of their liberty in 8 detention centers	Nicaragua	2022
34	Case of the Barrios family	Venezuela	2004
35	Matter of certain Venezuelan prisons	Venezuela	2009

## ACTIVE INTERIM MEASURES, BY STATE, BY THE END OF 2022



## Active interim measures per year by the end of 2022





## CURRENT STATUS OF INTERIM MEASURES

