

V

Monitoring compliance with judgments



V. Monitoring compliance with judgments

A. Summary of the work of monitoring compliance

Monitoring compliance with the Court's judgments has become one of the most demanding activities of the Court because each year there is a considerable increase in the number of cases at this stage. Numerous measures of reparation are ordered in each judgment,⁷⁹ and the Court monitors their implementation, rigorously and continually, until every reparation ordered has been fully complied with. When assessing compliance with each reparation, the Court makes a thorough examination of the way in which the different components are executed, and how they are implemented regarding each victim who benefits from the measures, because there are numerous victims in most cases. At the end of 2023, **295 cases**⁸⁰ were in the state of monitoring compliance, which entails monitoring **1577 measures of reparation**.

Both the number of reparations ordered, and also their nature and complexity have an impact on the time a case may remain at the stage of monitoring compliance. Compliance with some measures entails a greater degree of difficulty. Before the Court is able to close a case, the State that has been found internationally responsible must have complied with every measure of reparation. Therefore, it is not unusual that, in some cases at the stage of monitoring compliance with judgment, only one measure of reparation is pending,⁸¹ while in others, numerous reparations remain pending implementation. Consequently, even though, in many cases, numerous measures have been executed, the Court keeps this stage open until it considers that the State has complied fully with the judgment.

In the original judgment the Court requires the State to present an initial report on the implementation of its decisions, generally within one year.⁸² It then monitors compliance with the judgment by issuing orders, holding hearings, conducting on-site procedures in the State found responsible, and daily monitoring in the form of notes issued by the Court's Secretariat. In 2015, the Secretariat established a unit dedicated exclusively to monitoring compliance with judgments (the Unit for Monitoring Compliance with Judgments), in order to follow up more thoroughly on State compliance with the diverse measures of reparation ordered.

In 2022, the Court adopted important changes in the methodology used as well as work policies for cases at the stage of monitoring compliance with judgment. Judge rapporteurs were established by country, and it was decided to delegate the different procedures (on-site visits and hearings) to them, individually or in commissions, as well as meetings, both during and outside the Court's sessions. This methodology has the

79 To understand the wide range of measures ordered by the Court, they can be grouped into the following forms of reparation: measures to guarantee to the victims the right that has been violated; restitution; rehabilitation; satisfaction; search for the whereabouts and/or identification of the remains; guarantees of non-repetition; the obligation to investigate, prosecute and punish, as appropriate, those responsible for the human rights violations; compensation, and reimbursement of costs and expenses.

80 This list of 288 cases at the stage of monitoring compliance includes cases to which the Court had previously applied Article 65 of the American Convention and in which the situation has not varied.

81 As of December 2023, in 26% of the cases at the monitoring stage (77 cases), one or two measures of reparation were pending. Most of these refer to reparations that are complex to execute, such as the obligation to investigate, prosecute and punish, as appropriate, those responsible for the human rights violations; the search for the whereabouts and/or identification of the remains, and guarantees of non-repetition.

82 In addition, in the case of the measures relating to the publication and dissemination of the judgment, the Court may require the State, regardless of the one-year time frame for presenting its first report, to advise the Court immediately when each publication ordered in the respective judgment has been made.

advantage of allowing the Court to conduct more continuous monitoring of a greater number of cases at that procedural stage than the full Court is able to conduct during its sessions. Also, as a policy for this work, the Court considers it essential to conduct monitoring activities in the territory of the States found responsible, as this allows it to interact with the different actors involved in the implementation of the judgments. To this end, from 2015 to 2023, it has enjoyed the support and collaboration of twelve States and will continue its efforts to maintain this rapprochement with States and victims.

During 2023, in collaboration with the Max Planck Institute for Comparative Public Law and International Law, the Court began to organize, in the territory of the States responsible, roundtables to discuss the advances and challenges in compliance with the judgments, with the participation of authorities and officials from different state entities and representatives of victims in cases at the monitoring compliance with judgment stage.

Added to this, the Court considers it important to publicize its case law on monitoring compliance and best practices in the implementation of reparations. In 2023, the Court, in conjunction with the MERCOSUR Institute of Public Policies on Human Rights, launched the first edition of the International Course on “Compliance with Judgments of the Inter-American Court of Human Rights and Public Policies for their implementation,” which is aimed at state officials who have influence regarding compliance with reparations ordered by the Court, representatives of victims in proceedings before the Inter-American system of Human Rights and members of civil society and academia with an interest in the implementation of the reparations ordered by the Court. In addition, in 2023, the Court published, for the first time, Journals of Jurisprudence on compliance and the impact of the Court’s judgments.

The Court executes its supervisory function by monitoring each case individually, and also through joint monitoring of the measures of reparation ordered in judgments in several cases against the same State. The Court employs this strategy when it has ordered the same or similar reparations in the judgments in several cases and when compliance with them faces common factors, challenges, or obstacles. The joint hearings and monitoring orders have had positive repercussions for those involved in implementing the measures. This joint specialized monitoring mechanism allows the Court to have a greater impact because it can address an issue that is common to several cases involving the same State, approaching it comprehensively, at one and the same time, instead of having to monitor the same measure in several cases separately. This also enables the Court to encourage discussion among the different representatives of the victims in each case and results in a more dynamic participation by the State officials responsible for implementing the reparations at the domestic level. In addition, it provides an overview of the advances made and the factors impeding progress in the State concerned, identifies the reparations regarding which a significant dispute exists between the parties, and those to which they can achieve greater agreement and make more progress in the implementation.

In recent years the information available in the Court’s Annual Report, on its official website, and through the publication of journals of jurisprudence, has gradually been increased in order to provide more information on the status of compliance with the reparations ordered in the judgments delivered by the Inter-American Court and to give this aspect more visibility.

In the case of the website (www.corteidh.or.cr), the menu on the home page includes a link to “Monitoring compliance with judgment,” which has information on this function of the Court. A link is also included to “Cases closed” due to compliance with the reparations and another to “Cases at the stage of monitoring compliance”, which includes a chronological table of the judgments delivered, organized by State, with direct links to:

- ▶ the reparations established in the judgment in each case;
- ▶ the orders issued at the monitoring compliance stage in each case;
- ▶ a column on Reparations, containing links to the “Reparations declared completed” (differentiating those partially completed from those totally complete) and “Reparations pending compliance”, and
- ▶ the column: “public documents pursuant to Court Decision 1/19 of March 11, 2019.”

On the last point, it should be mentioned that in 2019, the Court adopted Decision 1/19 on “Clarifications on the publication of the information contained in the files of cases at the stage of monitoring compliance with judgment,” which states that it will make public the information presented during this stage related to: (i) the execution of the guarantees of non-repetition ordered in the Court’s judgments, both those presented by the parties and the Commission, and those presented by “other sources” that are not parties to the international proceedings, or in expert opinions under the application of Article 69(2) of the Court’s Rules of Procedure; and (ii) the amicus curiae briefs.⁸³ In Decision 1/19, the Court emphasized, among other matters, that compliance with its judgments could benefit from the involvement of organs, human rights organizations, and domestic courts that, under their terms of reference, could require the corresponding public authorities to execute the measures of reparation ordered in the judgments, in particular, the guarantees of non-repetition. To this end, it is essential that the Court provides access to information on the implementation of this type of measure of reparation.

During 2023, the Court continued to update the information on the said table on its website, which allows the different users of the inter-American system to have a simple and flexible tool to consult and to learn about the reparations that the Court is monitoring and those that have already been executed by the States, and to obtain updated information on the implementation status of the guarantees of non-repetition. Also, in 2023, the Court launched the Inter-American Case Law Database, developed with artificial intelligence (IA) and subject to an ongoing editorial process of systematization and analysis of information with descriptors and metadata. This tool facilitates a search for specific information contained in the Court’s case law on cases at the stage of monitoring compliance with judgment (<https://bit.ly/Jurisprudence-List>).

In the course of 2023, the Inter-American Court held a total of **26 hearings related to 24 cases at the stage of monitoring compliance:**

- ▶ **25 hearings** were held to receive updated and detailed information from the States concerned on the implementation of the measures of reparation ordered, together with the observations of the victims’ representatives and the Inter-American Commission. Fifteen of these hearings were virtual and ten were held in-person. Of these hearings, 24 were private, while one was public. Two of these hearings were held to jointly monitor two cases concerning Paraguay⁸⁴, while the other 24 hearings monitored

83 Article 69(2) of the Court’s Rules of Procedure establishes: “The Court may require relevant information on the case from other sources of information in order to evaluate compliance. To that end, it may also request the expert opinions or reports it considers appropriate.”

84 Joint private hearings for the cases of the Yakyé Axa and Xákmok Kásek Indigenous Communities v. Paraguay, on monitoring compliance with judgments, held virtually.

individual cases concerning Brazil⁸⁵, Chile⁸⁶, Colombia,⁸⁷ Guatemala,⁸⁸ Honduras,⁸⁹ Mexico,⁹⁰ Panama,⁹¹ Paraguay,⁹² and Peru.⁹³ The three hearings of cases concerning Brazil, the two cases concerning Chile, and the five cases concerning Colombia were held in the territories of those States.

- ▶ **1 hearing** was held to receive information and observations on the implementation of provisional measures in a case concerning Guatemala,⁹⁴ which is at the stage of monitoring compliance with judgment. This hearing was held in person at the seat of the Court and was public.
- ▶ With regard to orders on monitoring compliance with judgment, during 2023, the Court or its President issued 68 orders. These orders had different contents and purposes:
 - ▶ 61 orders were issued to monitor compliance⁹⁵ with some or all the reparations ordered in the judgments on 74 cases,⁹⁶ and to order the reimbursement of the Victims' Legal Assistance Fund of the Court for expenses incurred for assistance to victims and their representatives at a hearing;
 - ▶ to close eight cases following full compliance with the reparations ordered;
 - ▶ to rule on four requests for provisional measures presented in relation to five cases currently at the stage of monitoring compliance with judgment and, as appropriate, to monitor the reparation measures referred to in those requests;
 - ▶ to monitor the implementation of the provisional measures ordered in 14 cases that relate to the obligation to prosecute and punish, and
 - ▶ declare compliance with reimbursements to the Victims' Legal Assistance Fund.

85 Private Hearings on Monitoring Compliance in the Cases of: Favela Nova Brazilia, Case of the Workers of the Fireworks Factory in Santo Antônio de Jesus and their Families, and the case of Herzog et al. v. Brazil, held in person during the visit of the Court's delegation to Brazilia, Brazil.

86 Private Hearings on Monitoring Compliance in the Cases of Maldonado Vargas et al. and Poblete Vilches et al. v. Chile, held in person in Santiago, Chile, during the Court's 157th Regular Session held in that country.

87 Private Hearings on Monitoring Compliance in the Cases of: Isaza Uribe et al., the Ituango Massacres, Vereda La Esperanza, the Afro-descendant Communities displaced from the Cacarica River Basin (Operation Genesis) and the case of Bedoya Lima et al. cv. Colombia, held in person in Bogotá, Colombia, during the Court's 162nd Regular Session held in that country.

88 Public Hearings on Monitoring Compliance in the Cases of García and family members v. Guatemala, held virtually.

89 Private Hearings on Monitoring Compliance in the Cases of López Lone et al. v. Honduras, held virtually.

90 Private Hearings on Monitoring Compliance in the Cases of: Radilla Pacheco, Alvarado Espinoza et al., Fernández Ortega et al., and Rosendo Cantú et al. v. Mexico, held virtually.

91 Private Hearings on Monitoring Compliance in the Cases of Helidoro Portugal v. Panama, held virtually.

92 Private Hearings on Monitoring Compliance in the Cases of the Sawhoyamaya Indigenous Community v. Paraguay, held virtually.

93 Private Hearings on Monitoring Compliance in the Cases of: Gómez Paquiyauri Brothers, Azul Rojas Marín et al., and "Five Pensioners" v. Peru, held virtually.

94 Public Hearings on Monitoring Compliance with Provisional Measures in the Case of Gudiel Álvarez et al. ("Diario Militar") v. Guatemala, held in person.

95 In order to assess the degree of compliance with reparations, request detailed information regarding the steps taken to comply with certain reparations measures, urge States to comply and provide guidance on compliance with the reparations measures ordered, provide instructions for compliance, and clarify aspects on which there is controversy between the parties regarding the execution and implementation of reparations, all in the interest of ensuring full and effective implementation of its decisions.

96 In 2023, the Court declared full compliance and partial compliance or progress in the implementation of 78 measures of reparation. It also declared the monitoring of 2 reparations completed.

In addition to monitoring compliance by means of these orders and hearings, during 2023, the Commission and the parties were asked to provide information or observations in notes sent by the Court's Secretariat, on the instructions of the Court or its President, in 168 cases at the stage of monitoring compliance with judgment.

In 2023, the Court received 502 reports and attachments from the States in 200 cases at the stage of monitoring compliance with judgment. Additionally, over the course of the year, the Court received 612 briefs with observations, from either the victims or their legal representatives, or from the Inter-American Commission in 198 cases at the stage of monitoring compliance with judgment. All these briefs were forwarded to the parties and the Commission.

Also, during 2023, the Court continued to implement the mechanism of joint monitoring with regard to the following measures of reparation:

- ▶ the adaptation of domestic law with regard to the right to appeal before a higher judge or court in two cases against Argentina;
- ▶ the provision of medical and psychological treatment to the victims in nine cases against Colombia;
- ▶ guarantees of non-repetition related to the search for the whereabouts of disappeared children and young people in two cases against El Salvador;
- ▶ the obligation to investigate, prosecute, and, as appropriate, punish those responsible for serious human rights violations in 14 cases against Guatemala;
- ▶ guarantees of non-repetition aimed at investigating with due diligence femicide and other crimes of violence against women, as well as preventing and eradicating gender-based discrimination against women in two cases against Guatemala;
- ▶ measures to guarantee the use and enjoyment of the ancestral lands of two Garifuna communities and to create appropriate mechanisms to regulate the land registration system in order to avoid violations of rural property, in two cases against Honduras;
- ▶ the adaptation of domestic law to international standards and those of the Convention regarding the guarantee of an ordinary judge in relation to the military criminal jurisdiction in four cases against Mexico;
- ▶ guarantees of non-repetition related to investigating and providing attention in cases of sexual violence against women with due diligence and with a gender and ethnic perspective, in two cases against Mexico;
- ▶ the payment of compensation and/or reimbursement of costs and expenses in five cases against Peru in which these are the only measures pending;
- ▶ measures relating to providing scholarships in seven cases against Peru, and
- ▶ the obligation to investigate, prosecute, and punish serious human rights violations in two cases against Peru, specifically in relation to the pardon granted "on humanitarian grounds" to Alberto Fujimori Fujimori, who was found criminally responsible for the gross violations in those cases.

B. Visits and hearings concerning cases at the stage of monitoring compliance with judgment held during 2023

During 2023, the Inter-American Court held 26 hearings in 24 cases at the stage of monitoring compliance. Of these, 10 hearings were held in private and in person in the territory of the States responsible for the violations declared in the judgments: in Chile, Colombia, and Brazil. One hearing was held in person at the seat of the Court. The remaining 15 hearings were held virtually in the course of several regular sessions held by the Court. Of these 15 hearings, 14 were held in private and one was a public hearing.

B.1. Visit and hearings held in the territory of the responsible States

Starting in 2015, the Court has implemented the important initiative of conducting visits and holding hearings on monitoring compliance in the territory of the responsible States. However, this requires the acquiescence of those States. This type of procedure has the following advantages: it facilitates closer ties with victims and with the authorities and officials in charge of implementing the reparations; it enables the Court to directly ascertain conditions in relation to the execution of the measures, as well as ensuring greater participation by victims, their representatives, and the different state officials and authorities directly responsible for executing the diverse reparations ordered in the judgments; and it increases willingness to make commitments aimed at the prompt execution of the reparations. It also provides an opportunity to establish direct talks between the parties in order to obtain specific commitments. In addition, these activities in the territory of the responsible States represent an opportunity for the Court to hold meetings with different state authorities in order to contribute to compliance with its decisions.

These procedures can be conducted during sessions held by the Court away from its seat or during visits to the States made by the full Court, a delegation from the Court, or a judge, in order to monitor compliance with judgments.

Between 2015 and 2022, procedures and hearings were conducted in Argentina, Costa Rica, Colombia, El Salvador, Guatemala, Honduras, Mexico, Panama, Paraguay and Uruguay.⁹⁷ In 2023, the Court continued to carry out these activities, this time in Chile, Colombia, and Brazil, thanks to the consent and significant collaboration of those States.

⁹⁷ In 2015, a visit and a hearing took place in Panama, in the territory of the Ipetí and Piriati Communities of the Emberá of Bayano, on monitoring compliance with the judgment in the case of the Emberá of Bayano. That same year, a hearing was held in Honduras to monitor, jointly, compliance with the judgments in six cases relating to: (i) prison conditions; training for officials, and records of persons detained; (ii) protection of human rights defenders, particularly environmental defenders, and (iii) obligation to investigate, prosecute and punish, as appropriate, the human rights violations. In 2016, the Court held two monitoring hearings in Mexico in relation to the cases of Radilla Pacheco, Cabrera García and Montiel Flores. In 2017, on-site visits were made to Guatemala in relation to the cases of the Plan de Sánchez and Río Negro Massacres and, in Paraguay, visits were made to the Yakyé Axa, Sawhoyamaxa and Xákmok Kásek indigenous communities. Monitoring hearings were held on those three cases, and also in the case of the Juvenile Re-education Institute, in Asunción. In 2018, an on-site visit was made to El Salvador in relation to the case of the Massacres of El Mozote and neighboring places, together with a procedure at the court in charge of the criminal investigation. In 2019, hearings on monitoring compliance were held in Argentina and Colombia; the Court also visited a new health center of the Costa Rican Social Security Institute that provides IVF treatment. In 2020 and 2021, three activities were suspended due to the health restrictions imposed as a result of the COVID-19 pandemic. In 2022, the Court conducted one field visit and one hearing on monitoring the implementation of provisional measures in Panama in the case of Vélez Lóor, as well as hearings and meetings to monitor compliance with judgments in Uruguay (case of Gelman) and Argentina (case of Bulacio, case of Torres Millacura et al., and case of Mendoza et al.).

B.1.i CHILE



On April 24, 25, and 27, in the context of the Court's 157th Regular Session held in Santiago, Chile, Vice President Eduardo Ferrer Mac-Gregor Poisot, acting on behalf of the Court, carried out several procedures on monitoring compliance with judgments. The Vice President was accompanied by the Deputy Registrar of the Court and by the Director and a lawyer of the Secretariat's Unit for Monitoring Compliance with Judgments.

1. Hearing in the case of *Maldonado Vargas et al. v. Chile*

On April 24, a private hearing took place on monitoring compliance with judgment in the Case of *Maldonado Vargas et al. v. Chile*. The purpose of the hearing was to receive from the State updated information on compliance with the only measure of reparation still pending in this case, related to "continuing and concluding, effectively, within a reasonable time and with due diligence, the investigations related to the acts of torture perpetrated against the victims in this case, in order to identify and, if appropriate, prosecute and punish those responsible." The purpose of the hearing was also to receive the observations of the victims' representatives and the opinion of the Inter-American Commission in this regard.

2. Case of *Poblete Vilches et al. v. Chile*

2.1 Visit to the Sótero del Río Hospital

On April 24, the Court visited the Sótero del Río Hospital, located in the Metropolitan Region of Santiago. The purpose of the visit was to monitor in situ and receive information directly from the authorities and officials on compliance with the guarantee of non-repetition ordered in the judgment, as follows:

to ensure, through sufficient and necessary measures, that the Sótero del Río Hospital has the essential infrastructure to provide adequate, opportune, and quality care to its

patients, particularly in emergency health care situations, providing increased protection to older persons. To this end, the Court asks the State to report, in one year's time, on: (a) improvements implemented at the date of the report in the infrastructure of the hospital's Intensive Care Unit; b) the protocols in force on care for medical emergencies, and (c) actions implemented to improve the medical care of patients in the ICU, particularly older persons – from a geriatric perspective – and in light of the standards of this judgment.

A large delegation from the State participated in the visit, including officials from the different ministries involved in the implementation of the measure, as well as officials of the aforementioned medical facility. The representatives of the victims and a lawyer of the Secretariat of the Inter-American Commission also participated.

The delegation visited several areas of the hospital, including the emergency unit, the intensive care unit for adults, and the geriatric unit. During their visit, the delegation members received explanations from public officials accredited by the State. Access to each area was conditional upon the acquiescence of the patients and the health teams, in order to ensure respect for their privacy and the effective performance of the medical teams. During the tour of the hospital, members of the delegation asked the questions they considered pertinent with respect to the implementation of the guarantee of non-repetition ordered.

2.2 Hearing

On April 25, a private hearing was held on monitoring compliance with judgment in the Case of Poblete Vilches et al. v. Chile. The purpose of the hearing was to receive updated information on compliance with five measures of reparation: (i) provide medical and psychological care to the victims; (ii) implement permanent education and training programs for medical students and medical professionals, as well as all the personnel of the health care and social security systems, on the appropriate treatment of older persons in health-related matters; (iii) "ensure, through sufficient and necessary measures, that the Sótero del Río Hospital has the essential infrastructure to provide adequate, opportune and quality care to its patients, particularly in emergency health care situations, providing increased protection to older persons;" (iv) design a publication or leaflet outlining the rights of the older person in relation to health care, and (v) design an overall policy for the comprehensive protection of older persons.

3. Meeting in the case of Pavez Pavez v. Chile

On April 27, a private meeting was held with officials of the Directorate of Human Rights of the Foreign Ministry of Chile, the Ministry of Education, and the Sub-secretariat of Human Rights of the Ministry of Justice and Human Rights regarding the implementation of the guarantee of non-repetition ordered in the judgment in the Case of Pavez Pavez v. Chile, the adequacy of regulations on the remedy, procedure and judicial competence for challenging the decisions of public educational establishments regarding the appointment or removal of religious education teachers as a result of the issuance or revocation of a certificate of suitability.

B.1.ii COLOMBIA



On October 9 and 13, in the context of the Court's 162nd Regular Session held in Bogotá, Colombia, five private hearings were held on monitoring compliance with judgment. The three hearings held on October 9 were conducted by the President of the Court, Judge Ricardo C. Pérez Manrique, and the two hearings on October 13 were held before the full Court.⁹⁸

1. Case of the Ituango Massacres v. Colombia

In the hearing on October 9, the Court received information and observations on compliance with the following measures of reparation: (i) take the necessary measures to provide justice in this case; (ii) take the necessary measures to guarantee safe conditions for the former inhabitants of El Aro and La Granja, who were forcibly displaced, to return to El Aro or La Granja, as applicable and if they so desire, and (iii) erect a plaque in an appropriate public place in La Granja and in El Aro, so that the new generations know about the events that took place in this case.

2. Case of Vereda La Esperanza v. Colombia

In the hearing held on October 9, the Court received information and observations on compliance with two measures of reparation, as follows: (i) continue with the corresponding investigations and judicial proceedings underway in order to determine the facts and the corresponding responsibilities, and (ii) conduct a rigorous search using appropriate means, and make every effort to determine, as soon as possible, the whereabouts of the twelve victims whose fate remains unknown.

3. Case of Isaza Uribe et al. v. Colombia

In the hearing held on October 9, the Court received information and observations on compliance with four measures of reparation, as follows: (i) continue with the investigations and judicial proceedings underway in order to determine the facts and the corresponding responsibilities; (ii) conduct a rigorous search to determine, as soon as possible, the whereabouts of Víctor Manuel Isaza Uribe; (iii) provide psychological or psychiatric treatment to the victims who request it, and (iv) strengthen the mechanisms of protection for trade unionists, representatives, and trade union organizations.

⁹⁸ Judge Humberto Antonio Sierra Porto, a Colombian national, did not participate in these hearings, pursuant to Article 19(1) of the Court's Rules of Procedure. Judge Verónica Gómez did not participate in the hearing on the case of the Afro-descendant Communities Displaced from the Cacarica River Basin v. Colombia, since she recused herself from hearing the case under the terms of Article 19(2) of the Statute, which was accepted by the President.

4. Case of the Afro-descendant Communities displaced from the Cacarica River Basin (Operation Genesis) v. Colombia

In the hearing held on October 13, the Court received information and observations on compliance with six measures of reparation, namely: (i) continue, effectively and with the greatest diligence, the investigations that have been opened, as well as open any that are necessary in order to individualize, prosecute and eventually punish all those responsible for the facts of this case, and remove all the obstacles, de facto and de jure, that may maintain impunity; (ii) provide the appropriate and priority medical treatment required by the victims of this case, in the context of the reparation programs established by domestic law; (iii) restore the effective use, enjoyment and possession of the territories recognized by domestic law to the Afro-descendant communities assembled in the Community Council of the Communities of the Cacarica River Basin; (iv) ensure that conditions in the territories that are restored to the victims in this case, as well as in the place where they are living currently, are adequate for the safety and decent life of both those who have returned and of those who have not yet done so; (v) pay compensation for pecuniary and non-pecuniary harm caused to the victims of forced displacement; and (vi) pay the amounts established in the judgment for pecuniary and non-pecuniary harm caused to Mr. Marino López Mena and his next of kin.

5. Case of Bedoya Lima et al. v. Colombia

In the hearing held on October 13, the Court received information and observations on compliance with the following seven measures of reparation: (i) prioritize and continue the investigations necessary to identify, prosecute and, as appropriate, punish the remaining persons responsible for the acts of violence and torture suffered by Jineth Bedoya on May 25, 2000; (ii) prioritize and continue the investigations necessary to identify, prosecute and, as appropriate, punish the remaining persons responsible for the threats suffered by Ms. Bedoya before and after the facts of May 25, 2000, as well as those responsible for the attack on Jineth Bedoya and her mother, Luz Nelly Lima, on May 27, 1999; (iii) adopt all measures necessary to protect the lives, personal integrity, and security of Jineth Bedoya and of her mother, Luz Nelly Lima; (iv) guarantee the dissemination of the cross-media program “No es hora de callar”; (v) establish the “No es Hora de Callar” Investigative Center for the memory and dignity of all women victims of sexual violence in the context of the armed conflict and investigative journalism, with specific recognition of the work of women journalists; (vi) design immediately and implement, within one year, through the corresponding State agency, a system for the collection of data and figures on cases of violence against journalists, as well as gender-based violence against women journalists; and (vii) create a fund to finance programs aimed at prevention, protection and support of women journalists who are victims of gender-based violence.

B.1.iii BRAZIL



On October 26 and 27, a delegation of the Inter-American Court held a series of private hearings on monitoring compliance with judgment in the city of Brasilia, Brazil. The delegation was composed of the President of the

Court, Judge Ricardo C. Pérez Manrique, its Vice President, Judge Eduardo Ferrer Mac-Gregor Poisot, and Judge Nancy Hernández López. They were accompanied by the Court's Registrar, Pablo Saavedra Alessandri, as well as by the Director and a lawyer of the Secretariat's Unit for Monitoring Compliance with Judgments.

1. Hearing on the Case of Favela Nova Brazilia v. Brazil

In a hearing held on October 26, the Court received information and observations on eight of the reparations ordered in the judgment, namely: (i) continue with the investigation into the facts related to the deaths that occurred in the 1994 raid, in order to identify, prosecute and punish, as appropriate, those responsible, and open or reopen an effective investigation into the deaths that occurred in the 1995 raid; (ii) investigate the acts of sexual violence; (iii) provide the psychological and psychiatric treatment required by the victims; (iv) publish an official annual report with data on the deaths that occur during police operations in all the country's states; (v) to establish the necessary legal mechanisms so that, in situations of presumed deaths, torture or sexual violence resulting from a police intervention in which *prima facie* it appears possible that police agents could be involved, immediately following the *notitia criminis*, the investigation is entrusted to an independent body, distinct from the police force involved in the incident, such as a judicial authority or the Public Prosecution Service, assisted by police, criminalistics and administrative personnel unrelated to the law enforcement agency to which the possible perpetrator or perpetrators belong; (vi) take the necessary steps to ensure that the state of Rio de Janeiro establishes goals and policies to reduce police lethality and violence; (vii) adopt the legislative or other measures required to permit victims of offenses or their family members to take part, formally and effectively, in the investigation of crimes conducted by the police or the Public Prosecution Service, and (viii) adopt the measures necessary to harmonize the expression "bodily injury or homicide as a result of a police intervention" in the reports and investigations of the police or the Public Prosecution Service in cases of death or injuries caused by the actions of the police.

During the hearing, the Court heard directly from the three victims in this case and one family member, who stated their requests regarding the implementation of the measures of reparation ordered in the judgment. Also, in the application of Article 69(2) of the Court's Rules of Procedure, which allows the Court to obtain information from "other sources" that are not parties to the case, the National Council of Justice of Brazil provided an oral report, within its area of competence, on compliance with the aforementioned measures of reparation.

2. Hearing on the Case of the Workers of the Fireworks Factory in Santo Antonio de Jesús and their families v. Brazil

In a hearing held on October 27, the Court received information and observations on seven of the reparations ordered in the judgment, namely: (i) continue the criminal proceedings that are underway in order to prosecute and, as appropriate, punish those responsible for the explosion in the fireworks factory; (ii) continue the civil cases on compensation for pecuniary and non-pecuniary damage and the labor proceedings that are underway, in order to conclude them and, if appropriate, facilitate full execution of the judgments, (iii) provide medical, psychological or psychiatric treatment to the victims; (iv) inspect those sites where fireworks are manufactured, systematically and periodically; (v) provide a progress report on the legislative processing of Brazilian Federal Senate Bill PL 7433/2017; (vi) design and execute a socio-economic development program, in consultation with the victims and their next of kin, in order to facilitate the insertion of those working in the manufacture of fireworks into other labor markets and to enable the creation of other economic alternatives, and (viii) provide a report on the application of the National Guidelines on Business and Human Rights. During the hearing, the Court heard directly from victims of the explosion and their families and members of the "December 11 Movement", about the implementation of the measures of reparation ordered in the judgment.

3. Hearing on the Case of Herzog et al. v. Brazil

In a hearing held on October 27, the Court received information and observations on five reparations ordered in the judgment, namely: (i) reopen the criminal investigation and proceedings in relation to the events that

occurred on October 25, 1975, to identify, prosecute and, as appropriate, punish those responsible for the torture and death of Vladimir Herzog, in view of the nature of these events as crimes against humanity and their corresponding legal consequences under international law; (ii) adopt the most appropriate measures, in accordance with its institutions, to recognize, without exception, the non-applicability of statutes of limitations to actions arising from crimes against humanity and international crimes, in accordance with this [...] judgment and the relevant international standards; (iii) organize a public act to acknowledge international responsibility for the facts of this case and to honor the memory of Vladimir Herzog; (iv) publish the entire judgment in the Official Gazette, the official summary of this judgment prepared by the Court, in a national newspaper with widespread circulation, and the entire judgment and its summary on the official website of the Brazilian Army; and (v) pay the amounts established as compensation for pecuniary and non-pecuniary damage. During the hearing, the Court heard directly from the victim, Ivo Herzog, who stated his requests for the implementation of the measures of reparation ordered in the judgment. Additionally, in the application of Article 69(2) of the Court's Rules of Procedure, which allows the Court to request information from "other sources" that are not parties to the case, the National Council of Justice of Brazil provided an oral report, within its area of competence, on compliance with the guarantee of non-repetition regarding recognition of the non-applicability of statutes of limitations to actions arising from crimes against humanity and international crimes.

B.2. Hearing held in person at the seat of the Court

1. Case of Gudiel Álvarez et al. ("Diario Militar") v. Guatemala

On March 20, during its 156th Regular Session, the Court held a public hearing on monitoring the implementation of the provisional measures adopted in this case. The purpose of the hearing was to receive information and observations from the State, the representatives of the beneficiary of the measures, and the Inter-American Commission, on the implementation of the provisional measures ordered by the Court in the ruling of September 9, 2022, in which it required the State "to guarantee the right of access to justice of the victims in the case of Gudiel Álvarez et al., also known as "Diario Militar", continue to adopt all appropriate measures to effectively protect the rights to life and personal integrity of Judge Miguel Ángel Gálvez Aguilar, presiding judge of High Risk Court B of the Guatemalan Judiciary, as well as his direct family, and to adopt the measures necessary to guarantee the judicial independence of Judge Gálvez Aguilar. It also required the State to "adopt the measures necessary to address the pattern of events that gave rise to the increased risk for Judge Gálvez Aguilar, in accordance with the provisions of said order."

B.3. Virtual hearings

1. Case of the Gómez Paquiyauri Brothers v. Peru

The private hearing held on January 31, during the Court's 155th Regular Session, was conducted by Judge Humberto Antonio Sierra Porto. The purpose of the hearing was to receive information and observations on compliance with the measure of reparation regarding the establishment of a scholarship for studies up to the university level in favor of Nora Emely Gómez Peralta.

2. Case Azul Rojas Marín et al. v. Peru

The private hearing held on January 31, during the Court's 155th Regular Session, was conducted by Judge Humberto Antonio Sierra Porto. The purpose of the hearing was to receive information and observations on compliance with the following measures of reparation: provide medical, psychological, and/or psychiatric treatment to Azul Rojas Marín, and pay the amounts established in the judgment as compensation for pecuniary and non-pecuniary damage, as well as the reimbursement of costs and expenses.

3. Case of "Five Pensioners" v. Peru

The private hearing, held on January 31, during the Court's 155th Regular Session, was conducted by Judge Humberto Antonio Sierra Porto. The purpose of the hearing was to receive information and observations on

compliance with the provisions of the fifth and second operative paragraphs of the orders on monitoring compliance of October 20, 2016, and November 25, 2021, respectively, in terms of confirming that the pension payments to Guillermo Álvarez Hernández and the widows of the deceased victims are being made “under the same conditions set forth in the judgments issued by the Constitutional and Social Law Chamber of the Supreme Court of Justice of Peru in 1994, and the country’s Constitutional Court between 1998 and 2000,” as well as to reimburse them for “the corresponding amounts.”

4. Case of López Lone et al. v. Honduras

The private hearing, held on February 1, during the Court’s 155th Regular Session, was conducted by Judge Patricia Pérez Goldberg. The purpose of the hearing was to discuss the sole component of the measure of restitution ordered in the sixteenth operative paragraph of the judgment that is currently being monitored, regarding the payment of quotas to the National Institute of Retirement and Pensions corresponding to two victims.

5. Case of López Lone et al. v. Honduras

On March 1, Judge Patricia Pérez Goldberg held another hearing on monitoring compliance in this case, in order to follow up on and receive information from the State on the results of the actions and internal consultations that it had agreed to carry out, in accordance with the matter discussed at the hearing of February 1, 2023.

6. Case of García and Family Members v. Guatemala

On March 13, during the Court’s 156th Regular Session, the Court held a public hearing on monitoring compliance with judgment. In application of Article 6(2) of the Court’s Rules of Procedure, the hearing took place before a Commission of judges, composed of the Vice President of the Court, Judge Eduardo Ferrer MacGregor Poisot, together with Judges Nancy Hernández López, Verónica Gómez, and Rodrigo Mudrovitsch. The purpose of the hearing was to receive information and observations on compliance with the following measures of reparation pending in this case: continue and conclude the necessary investigations and proceedings and, if appropriate, punish those responsible for the forced disappearance of Edgar Fernando García; conduct a genuine search, making every effort to determine the whereabouts of Edgar Fernando García; carry out the publications of the judgment; organize a public act of acknowledgment of international responsibility for the facts of this case; facilitate the initiative known as the ‘Concord Memorial,’ under which the State must promote the construction of commemorative and cultural spaces to dignify the memory of the victims of human rights violations during the internal armed conflict; include the name of Edgar Fernando García on the plaque that is placed in the park or plaza to be constructed in compliance with the measure ordered in the seventh operative paragraph of the judgment in the case of Gudiel Alvarez et al (“Diario Militar”) v. Guatemala; deliver ten “study grants” to be granted by the members of Edgar Fernando García’s family to children or grandchildren of persons forcibly disappeared; and promote the approval of the bill for the creation of the National Commission for the Search for Victims of Forced Disappearance and other Forms of Disappearance.

7. Case of Radilla Pacheco v. Mexico

A private hearing on this case was held on March 13, during the Court’s 156th Regular Session. The purpose of the hearing was to receive information and observations on compliance with the following measures of reparation: effectively carry out, with due diligence and within a reasonable period of time, the investigation and, if applicable, the criminal proceedings with regard to the arrest and subsequent forced disappearance of Mr. Rosendo Radilla Pacheco, in order to determine the corresponding criminal responsibilities and effectively apply the punishments and consequences established by law; continue with the effective search and the immediate location of Mr. Rosendo Radilla-Pacheco or, if applicable, of his remains; and, provide free psychological and/or psychiatric case immediately, adequately, and effectively, through specialized public

health institutions, to the victims declared in this judgment, if they request it. Also, in application of Article 69(2) of the Court's Rules of Procedure, which allows the Court to obtain information from "other sources" that are not parties to the case, the National Human Rights Commission of Mexico provided an oral report, within its area of competence, on compliance with the aforementioned measures of reparation.

8. Case of Heliodoro Portugal v. Panama

The private hearing, held on August 24, during the Court's 160th Regular Session, was conducted by its President, Judge Ricardo C. Pérez Manrique, on behalf of the Court. The purpose of the hearing was to receive information and observations on compliance with the following measures of reparation: investigate the facts that gave rise to the violations in the instant case, and identify, prosecute, and, if applicable, punish those responsible; and, provide the medical and psychological care required by the victims, particularly with respect to Patria Portugal in her situation of deprivation of liberty.

9. Case of Alvarado Espinoza et al. v. Mexico

The private hearing, held on September 6, was conducted by Judge Patricia Pérez Goldberg. The purpose of the hearing was to receive information and observations on compliance with the measures of reparation ordered, namely: conduct a rigorous and systematic search using the appropriate human, technical and financial resources, making every effort to determine the whereabouts of Nitza Paola Alvarado Espinoza, Rocío Irene Alvarado Reyes and José Ángel Alvarado Herrera; carry out and continue the investigations required to identify, prosecute and punish, as appropriate, those responsible for the forced disappearance of Nitza Paola Alvarado Espinoza, Rocío Irene Alvarado Reyes and José Ángel Alvarado Herrera; include the families or their representatives, who request this, in programs or benefits with the intention of contributing to repair their life project; create a single and updated list of disappeared persons which generates statistical data that allows cases of "forced disappearance" to be determined clearly; continue the human rights training for the Armed Forces and the Police, incorporating the standards on safeguards for public security; adopt sufficient and necessary measures to protect the life and personal integrity of the victims in this case; provide guarantees for the return or relocation of the displaced victims who require this; and provide psychological and/or psychiatric treatment to the victims.

10. Case of Fernández Ortega v. Mexico

The private hearing was held on September 7 and was conducted by Judge Patricia Pérez Goldberg. The purpose of the hearing was to receive information and observations on compliance with the following measures of reparation: facilitate the necessary resources so that the indigenous Me'paa community of Barranca Tecoani may establish a community center, to be considered a Women's Center, where educational activities related to human rights and women's rights can be carried out; and, adopt measures so that the girls of the community of Barranca Tecoani who are pursuing middle school studies in the city of Ayutla de los Libres, have adequate housing and food facilities, so that they can continue receiving education in the institutions they attend.

11. Case of Rosendo Cantú v. Mexico

The private hearing, held on September 7, was conducted by Judge Patricia Pérez Goldberg. The purpose of the hearing was to receive information and observations on compliance with the guarantee of non-repetition regarding the need to continue to provide treatment services to women victims of sexual violence through the Caxitepec health center, which should be strengthened through the provision of material and human resources.

12. Cases of the Yakye Axa and Xákmok Kásek Indigenous Communities v. Paraguay

The private hearing, held on May 11, was conducted by the President of the Court, Judge Ricardo C. Pérez Manrique, and Judge Rodrigo Mudrovitsch. The purpose of the hearing was to receive information and observations on compliance with the following measures of reparation: return to the members of the Yakye Axa and Xákmok Kásek Communities their traditional territories, and build an access road to the alternative lands of the Yakye Axa Community; provide them with the basic supplies and services required for their subsistence; ensure that the land of the Xákmok Kásek Community is not harmed “by the actions of the State itself or of private third parties;” establish a permanent healthcare center and communication system in the locality of “25 de febrero”, and move these to the location of the definitive settlement of the Xákmok Kásek Community “once it has recovered its traditional land.”

13. Joint hearing on the cases of the Yakye Axa and Xákmok Kásek Indigenous Communities v. Paraguay

The private hearing, held on July 26, was conducted by the President of the Court, Judge Ricardo C. Pérez Manrique, and Judge Rodrigo Mudrovitsch. The purpose of the hearing was to follow up on and receive updated information from the State on the progress achieved since the hearing on May 11, 2023.

14. Case of the Sawhoyamaxa Indigenous Community v. Paraguay

The private hearing, held on May 11, was conducted by the President of the Court, Judge Ricardo C. Pérez Manrique, and Judge Rodrigo Mudrovitsch. The purpose of the hearing was to receive information and observations on compliance with the following measures of reparation: adopt all legislative, administrative, and other measures necessary to formally and physically deliver to the members of the Sawhoyamaxa Community their traditional lands; and provide them with the basic goods and services required for their subsistence while they are without land.

15. Case of the Sawhoyamaxa Indigenous Community v. Paraguay

The private hearing, held on July 26, was conducted by the President of the Court, Judge Ricardo C. Pérez Manrique, and Judge Rodrigo Mudrovitsch. The purpose of the hearing was to receive information from the State and to follow up on the progress and planning achieved since the hearing on May 11, 2023.

C. Orders issued in cases at the stage of monitoring compliance with judgment in 2023

In 2023, the Court or its President issued 68 orders in cases at the stage of monitoring compliance with judgment. The 61 orders on monitoring compliance with judgment adopted by the Court to monitor the implementation of all or several reparations ordered in the judgment in each case can be found [here](#). The order on monitoring the implementation of the provisional measures ordered in 14 cases of Guatemala, and the three that refer to requests for provisional measures are available [here](#). The two orders concerning compliance with reimbursements to the Victims’ Legal Assistance Fund are available [here](#), while those concerning the adoption of urgent measures issued by the President of the Court can be found [here](#).

The orders are described below, in chronological order, and in categories according to their content and purpose.

C.1. Orders on monitoring compliance with the judgment

LIST OF CASES
1. Case of Rodríguez Vera et al. (Disappeared at the Palace of Justice) v. Colombia. Order of February 7, 2023.
2. Case of the Miguel Castro Castro Prison v. Peru. Order of February 7, 2023.
3. Case of Indigenous Communities Members of the Lhaka Honhat (Our Land) Association v. Argentina. Order of February 7, 2023.
4. Case of García and Family Members v. Guatemala. Order of February 7, 2023.
5. Case of Gorigoitia v. Argentina. Order of February 7, 2023.
6. Case of Grijalva Bueno v. Ecuador. Order of February 7, 2023.
7. Case of Cuya Lavy et al. v. Peru. Order of February 7, 2023.
8. Case of Bedoya Lima et al. v. Colombia. Order of February 7, 2023.
9. Case of Barbosa de Souza et al. v. Brazil. Order of March 21, 2023.
10. Case of Vera Rojas et al. v. Chile. Order of March 21, 2023.
11. Case of Norín Catrimán et al. (Leaders, Members and Activist of the Mapuche Indigenous People) v. Chile. Order of March 21, 2023.
12. Case of the Sawhoyamaxa Indigenous Community v. Paraguay. Order of March 21, 2023.
13. Case of Gutiérrez and Family v. Argentina. Order of March 21, 2023.
14. Case of the Afro-descendant Communities Displaced from the Cacarica River Basin (Operation Genesis) v. Colombia. Order of March 21, 2023.
15. Case of Tibi v. Ecuador. Order of March 21, 2023.
16. Case of Fontevicchia and D'Amico v. Argentina. Order of April 19, 2023.
17. Case of the Xákmok Kásek Indigenous Community v. Paraguay. Order of April 19, 2023.
18. Case of Maldonado Vargas et al. v. Chile. Order of April 19, 2023.
19. Case of Trueba Arciniega et al. v. Mexico. Order of April 19, 2023.
20. Case of Maidanik et al. v. Uruguay. Order of April 19, 2023.
21. Case of Pavez Pavez v. Chile. Order of April 19, 2023.
22. Case of Ríos Ávalos and et al. v. Paraguay. Order of April 19, 2023.

23. Case of Noguera et al. v. Paraguay. Order of April 19, 2023.
24. Case of Hernández v. Argentina. Order of May 24, 2023.
25. Case of Garzón Guzmán et al. v. Ecuador. Order of June 26, 2023.
26. Case of Digna Ochoa and Family Members v. Mexico. Order of June 26, 2023.
27. Case of the Teachers of Chañaral and other Municipalities v. Chile. Order of June 26, 2023.
28. Case of Moya Chacón et al. v. Costa Rica. Order of June 26, 2023.
29. Case of the Xucuru Indigenous People and its Members v. Brazil. Order of June 26, 2023.
30. Case of Alvarado Espinoza et al. v. Mexico. Order of June 26, 2023.
31. Case of Manuela et al. v. El Salvador. Order of June 26, 2023.
32. Case of the Ituango Massacres v. Colombia. Order of August 30, 2023.
33. Case of the Afro-descendant Communities Displaced from the Cacarica River Basin (Operation Genesis) v. Colombia. Order of August 30, 2023.
34. Case of Carvajal et al. v. Colombia. Order of August 30, 2023.
35. Case of Escaleras Mejía et al. v. Honduras. Order of August 30, 2023.
36. Case of Cortez Espinoza v. Ecuador. Order of August 30, 2023.
37. Case of Sales Pimenta v. Brazil. Order of August 30, 2023.
38. Case of Vera Rojas et al. v. Chile. Order of September 1, of 2023.
39. Case of López et al. v. Argentina. Order of September 4, of 2023.
40. Case of Omeara Carrascal et al. v. Colombia. Order September 25, 2023.
41. Case of Ximenes Lopes v. Brazil. Order September 25, 2023.
42. Case of Fornerón and Daughter v. Argentina. Order of October 18, 2023.
43. Case of Argüelles et al. v. Argentina. Order of October 18, 2023.
44. Case of the National Association of Discharged and Retired Employees of the National Tax Administration Superintendence (ANCEJUB-SUNAT) v. Peru. Order of October 18, 2023.
45. Case of the Workers of Hacienda Brazil Verde v. Brazil. Order of October 18, 2023.
46. Case of Flor Freire v. Ecuador. Order of October 18, 2023.

47. Case of Palacio Urrutia et al. v. Ecuador. Order of November 21, 2023.
48. Case of Rosadio Villavicencio v. Peru. Order of November 21, 2023.
49. Case of Torres Millacura et al. v. Argentina. Order of November 21, 2023.
50. Case of the “White Van” (Paniagua Morales et al.) v. Guatemala. Order of November 21, 2023.
51. Case of Muelle Flores v. Peru. Order of November 21, 2023.
52. Case of Chinchilla Sandoval et al. v. Guatemala. Order of November 21, 2023.
53. Case of Members and Militants of the Patriotic Union v. Colombia. Order of November 21, 2023.
54. Case of the Former Employees of the Judiciary v. Guatemala. Order of November 21, 2023.
55. Case of Guevara Díaz v. Costa Rica. Order of November 21, 2023.
56. Case of “19 Tradesmen” v. Colombia. Order of November 21, 2023.
57. Case of the Los Josefinos Village Massacre v. Guatemala. Order of November 21, 2023.
58. Case of Muelle Flores v. Peru. Order of November 21, 2023.
59. Case of Chocrón Chocrón v. Venezuela. Order of November 21, 2023.
60. Case of the Landaeta Mejías Brothers et al., Case of López Soto et al. and Case of Díaz Loreto et al. v. Venezuela. Order of November 28, 2023.

ORDERS OF THE INTER-AMERICAN COURT – MONITORING THE IMPLEMENTATION OF PROVISIONAL MEASURES

1. Case of the Members of Chichupac Village and neighboring communities of the Municipality of Rabinal, Case of Molina Theissen and 12 Other Cases v. Guatemala. Order October 20, 2023.

ORDERS OF THE INTER-AMERICAN COURT ON REQUESTS FOR PROVISIONAL MEASURES AND MONITORING COMPLIANCE

1. Case of Molina Theissen v. Guatemala. Order of March 24, 2023.
2. Case of Molina Theissen v. Guatemala. Order of September 4, of 2023.
3. Case of the Dos Erres Massacre v. Guatemala. Order of November 29, 2023.
4. Case of Barrios Altos and Case of La Cantuta v. Peru. Order of December 19, 2023.

**COMPLIANCE WITH REIMBURSEMENT OF THE VICTIMS' LEGAL ASSISTANCE FUND
[ORDERS OF PRESIDENT ON COMPLIANCE WITH REIMBURSEMENT OF THE VICTIMS' LEGAL ASSISTANCE FUND]**

1. Case of Tzompaxtle Tecpile et al. v. Mexico. Order of the President of December 13, 2023.
2. Case of Olivera Fuentes v. Peru. Order of the President of December 13, 2023.

**ADOPTION OF URGENT MEASURES
[ORDERS OF THE PRESIDENT ON ADOPTION OF URGENT MEASURES IN CASES AT THE STAGE OF MONITORING COMPLIANCE IN WHICH A REQUEST FOR PROVISIONAL MEASURES WAS PRESENTED]**

1. Case of Barrios Altos and Case of La Cantuta v. Peru. Order of the President of December 5, 2023.

D. Requests for provisional measures presented in cases at the stage of monitoring compliance with judgment and monitoring implementation of the provisional measures ordered

During 2023, the Court ruled on the following **4 requests** for provisional measures made by victims or their representatives in **5 cases** at the stage of monitoring compliance with judgment, related to compliance with specific measures of reparation:

1. Case of Molina Theissen v. Guatemala
2. Case of Vera Rojas et al. v. Chile
3. Case of the Dos Erres Massacre v. Guatemala
4. Case of Barrios Altos and Case of La Cantuta v. Peru

As a general rule, the Court has considered that the assessment of information related to compliance with measures of reparation ordered in the judgment should be made in the context of monitoring compliance with judgment. However, exceptionally, if the request is related to the purpose of the case, the Court has analyzed whether the requirements of extreme gravity, urgency, and the risk of irreparable harm are met that are necessary for the adoption of provisional measures.

In the **Case of Molina Theissen v. Guatemala**, on March 24, 2023, the Court issued an order in which it required the State, as a “no-change” provisional measure to prevent irreparable harm to the victims’ right of access to justice, to refrain from making any changes to the precautionary situation of the persons criminally convicted in the first instance court, until this Court could rule on the request for provisional measures. Subsequently, judicial decisions were adopted in Guatemala that granted the alternative measure of house arrest without surveillance and without restriction of movement in the departments of Guatemala and Alta Verapaz to those convicted in the court of first instance. In an order issued on September 4, 2023, the Court decided that “[i]n application of Article 65 of the American Convention on Human Rights and Article 30 of the Statute of the

Court, to include in [its] Annual Report [...] for 2023 Guatemala's failure to comply with the restraining order issued by this Court in the context of this process of monitoring compliance with judgment."

In the **Case of Vera Rojas et al. v. Chile**, the Court issued an order on September 1, 2023, in which it decided to conduct a "strengthened monitoring" of the reparations related to the signing of a legal agreement in which the State undertakes to ensure the continuation of Martina Vera Rojas' medical treatment, both in terms of her current situation and any treatments she might need in the future due to her illness. The State shall ensure this treatment in the event of her parent's death or their inability to pay for the ISAPRE health plan or to pay the deductible for special coverage for catastrophic diseases (CAEC), due to illness, old age, or salary level. The Court took into account Martina's fragile health since she suffers from mitochondrial and neurodegenerative disease and needs to receive medical treatment under a "home hospitalization" regime, and the fact that her parents were unable to continue paying for the health plan provided by ISAPRE. It also considered the specific actions and the willingness expressed by the State to ensure the continuation of Martina's medical treatment from the moment the coverage of her health plan with the ISAPRE ceases. The aim of this "strengthened monitoring" is to ensure a constant monitoring of compliance with the aforementioned measure of reparation, in a differentiated manner with respect to the other two reparations pending compliance in this case.

In the **Case of the Dos Erres Massacre v. Guatemala**, on November 29, 2023, the Court issued an order requiring that the State, as a "no change" provisional measure to prevent irreparable harm to the victims, "to refrain from executing the order of the First Court for Criminal Matters, Drug Trafficking and Crimes against the Environment with competence to hear High Risk Proceedings, Group 'E', of Guatemala [given in the first instance acquittal for the crimes of murder and crimes against humanity], on 'the destruction of material evidence', until such time as this international Court can decide on the request for provisional measures." The Court also granted the State a period of time to present its observations on the request for provisional measures submitted by the victims' representatives, so that the Court could then rule on the merits.

In the **Cases of Barrios Altos and La Cantuta v. Peru**, the President of the Court issued an order on December 5, 2023, adopting "no change" urgent measures, in which it required the State to "refrain from executing the ruling of the Constitutional Court of Peru, of December 4, 2023, ordering the 'immediate release' of Alberto Fujimori Fujimori, until the Inter-American Court of Human Rights has been able to decide whether this decision meets the conditions established in the Court's order of April 7, 2022." In the order on April 7, 2022, the Court ordered the State of Peru:

[...] to refrain from executing the judgment issued by the Constitutional Court of Peru on March 17, 2022, which restores the effects of the pardon 'for humanitarian reasons' granted to Alberto Fujimori Fujimori on December 24, 2017, because it did not comply with the conditions established in the order on compliance with judgment of May 30, 2018 [...].

In an order of December 19, 2023, the Inter-American Court determined that "the execution of the judgment of the Constitutional Court of March 17, 2022, based on that court's position regarding the orders of November 21 and December 4, 2023, and the consequent release of Alberto Fujimori Fujimori on December 6, 2023, amounted to contempt for this international Court's orders on monitoring compliance of May 30, 2018 and April 7, 2022 and the order to adopt "no change" urgent measures issued by the President of this Court on December 5, 2023." Such contempt and non-compliance occurred because the State executed the judgment issued by the Constitutional Court of Peru on March 17, 2022, which restored the effects of the pardon "for humanitarian reasons" granted to Alberto Fujimori Fujimori on December 24, 2017 by the President of the Republic, despite the fact that the Court had ordered that it should "refrain from implementing [it]" because it did not comply with the standards of international law that should be taken into account when carrying out a jurisdictional control of said pardon.

Furthermore, in that order of December 19, 2023, the Court stated:

3. Pursuant to Article 65 of the American Convention on Human Rights and Article 30 of the Statute of the Court, include in the 2023 Annual Report of the Inter-American Court of Human Rights the non-compliance by the State of Peru with the Order of “no change” urgent measures issued by the President of the Inter-American Court on December 5, 2023, and the Order of the Inter-American Court of April 7, 2022 [...].

The Court also decided to carry out a “strengthened monitoring” of the obligation to investigate, prosecute and punish gross human rights violations in the Cases of Barrios Altos and La Cantuta, particularly in relation to the pardon “for humanitarian reasons” granted to Alberto Fujimori Fujimori, and set a date for the State to submit a report.

On October 20, 2023, the Court issued an order in the **Case of the Members of Chichupac Village and neighboring communities of the Municipality of Rabinal, and in the Case of Molina Theissen et al. and 12 other Guatemalan Cases v. Guatemala**, in which it monitored the implementation of the provisional measures ordered in those **14 cases** on March 12, 2019. The Court also ruled on requests made by the victims’ representatives. The Court decided to “[r]ecognize that the State has proceeded to archive the initiative of Law 5377, which sought to grant an amnesty for all serious violations committed during the internal armed conflict, which was required in the [mentioned] order on provisional measures” of 2019. Likewise, the Court decided to “[r]equest that the State of Guatemala, through its three branches of government, take the necessary actions to ensure that bills such as 5920 and 6099, which grant amnesty for the serious violations committed during the internal armed conflict, and which provide for the criminal prosecution of justice operators who continue to advance in the investigation and prosecution of the 14 cases that have a judgment of the Court or who intend to carry out a control of conventionality.”

E. | Closure of cases due to compliance with the judgment

During 2023, the Court declared the closure of eight cases (two concerning Argentina, once concerning Brazil, two concerning Costa Rica, two concerning Ecuador, and one concerning Paraguay) due to full compliance with the reparations ordered in the judgments. Costa Rica currently has no cases at the stage of monitoring compliance with judgment. It is important to note that 2023 is the year in which the Court closed the largest number of cases due to compliance with judgments.

1. Case of Ríos Avalos et al. v. Paraguay

On April 19, the Court issued an order in which it decided to close this case because Paraguay had fully executed all the measures of reparation ordered in the judgment of 19 August 2021, as follows:

- i. carry out the publications of the judgment and the official summary, as indicated in paragraph 190;
- ii. regularize the retirement plan of both victims;
- iii. pay Bonifacio Ríos Ávalos the amount established in the judgment as restitutive compensation given the impossibility of reinstating him in his post;

- iv. pay Bonifacio Ríos Ávalos and the widow and heirs of Carlos Fernández Gadea, who died before the judgment was issued, the amounts established in the judgment as compensation for pecuniary and non-pecuniary damage, and
- v. pay Bonifacio Ríos Ávalos and the widow and heirs of the deceased victim the amounts established in the judgment as reimbursement of costs and expenses.

The Order of April 19, 2023, is available [here](#).(only in Spanish)

2. Case of Hernández v. Argentina

On May 24, the Court issued an order in which it decided to close this case because Argentina had fully executed all the measures of reparation ordered in the judgment, namely:

- i. carry out the publications indicated in the judgment and the official summary;
- ii. design and implement a training program for public officials and employees working in the detention centers of Buenos Aires province, during which medical personnel specialized in the treatment of tuberculosis provide them with training on specific aspects related to that disease, as indicated in the judgment;
- iii. improve the conditions of the prison system in Buenos Aires province, particularly in the prevention, diagnosis, and adequate and timely treatment of tuberculosis and diseases of a similar nature among the prison population;
- iv. pay the compensation established in the judgment for pecuniary and non-pecuniary damage in favor of the victims, and
- v. pay the representatives of the victims the amount established in the judgment as reimbursement for costs and expenses.

The order of May 24, 2023, is available [here](#). (only in Spanish)

3. Case of Moya Chacón et al. v. Costa Rica

On June 26, the Court issued an order in which it decided to close this case because Costa Rica had fully implemented all the measures of reparation ordered in the judgment of May 23, 2022, as follows:

- i. annul the attribution of civil liability against Ronald Moya Chacón and Freddy Parrales Chaves, imposed by a ruling of the Criminal Court on January 10, 2007, confirmed by the Third Chamber of the Supreme Court of Justice by the judgment of December 20 of the same year;
- ii. carry out the publication of the judgment and its official summary, as indicated in paragraph 106;
- iii. pay both victims the amount established in the judgment as compensation for non-pecuniary damage; and
- iv. pay the representatives of the victims the amount established in the judgment for reimbursement of costs and expenses.

The order of June 26, 2023, is available [here](#). (only in Spanish)

4. Case of Cortez Espinoza v. Ecuador

On August 30, the Court issued an order in which it decided to close the case because Ecuador had fully implemented all the measures of reparation ordered in the judgment of August 31, 2016, namely:

- i. carry out the publications of the judgment and the official summary, as indicated in paragraph 169 thereof;
- ii. pay the amount established in paragraph 184 of the judgment in favor of the victim for psychological and/or psychiatric care;
- iii. pay the amounts established in paragraphs 182 and 184 of the judgment in favor of the victim as compensation for pecuniary and non-pecuniary damage; and
- iv. pay the amount established in paragraph 187 of the judgment for reimbursement of costs and expenses in favor of the representatives of the victim.

The order of August 30, 2023, is available [here](#) (only in Spanish).

5. Case of Ximenes Lopes v. Brazil

On September 25, the Court issued an order in which it recalled that, in 2021, it had declared that Brazil had failed to comply with the obligation to investigate, prosecute, and punish, as appropriate, those responsible for the facts of this case, and stated the reasons for concluding the monitoring of compliance with that measure. Also, in that order of 2023, the Court decided to close the case, since Brazil had fully implemented the remaining measures of reparation ordered in the judgment of July 4, 2006, namely:

- i. carry out the publications of the judgment indicated in paragraph 249;
- ii. implement a training and education program for medical, psychiatric, psychological, and nursing personnel, as well as nursing assistants and all persons involved in providing mental health care, in particular, regarding the principles that should govern the treatment of persons who suffer intellectual disabilities;
- iii. pay the victims the amounts established in the judgment as compensation for pecuniary and non-pecuniary damage; and
- iv. pay Mrs. Albertina Viana Lopes, mother of Damião Ximenes Lopes, the amount established in paragraph 253 of the judgment for reimbursement of costs and expenses.

The order of September 25, 2023, is available [here](#). (only in Spanish)

6. Case of Argüelles et al. v. Argentina

On October 18, the Court issued an order in which it decided to close the case because Argentina had fully executed all the measures of reparation ordered in the judgment of November 20, 2014, namely:

- i. publish the official summary of the judgment as indicated in paragraph 254;
- ii. pay compensation for non-pecuniary damage established in the judgment in favor of the victims; and
- iii. pay the representatives of the victims the amount established in the judgment for reimbursement of costs and expenses.

The order of October 18, 2023, which declares the case closed, is available [here](#). (only in Spanish)

7. Case of Flor Freire v. Ecuador

On October 18, the Court issued an order in which it decided to close the case because Ecuador had fully executed all the measures of reparation ordered in the judgment of August 31, 2016, related to:

- i. grant Mr. Flor Freire the rank that corresponds to his cohort at the time of compliance with this measure and place him in the situation of a soldier who has taken voluntary retirement or is on passive service, granting him all the social rights and social security benefits that correspond to that rank;
- ii. recognize Mr. Flor Freire and pay the social security benefits (for purposes of future retirement and severance) to which he would be entitled if he had voluntarily retired from the institution at the time the State makes such payment, based on the rank of his cohort at the time of this payment;
- iii. ensure that no administrative act or decision adopted in the disciplinary process declared in violation of the rights recognized in the American Convention produces any legal effect on the social and/or social security rights that would correspond to Mr. Flor Freire if he had voluntarily retired from the Ecuadorian Armed Forces;
- iv. publish the judgment and the official summary, as indicated in paragraph 231;
- v. implement continuous and ongoing training programs for members of the Armed Forces and officers in charge of military disciplinary procedures on the prohibition of discrimination based on sexual orientation, in order to ensure that sexual orientation, whether real or perceived, in no way constitutes grounds for discriminatory treatment; and
- vi. pay the amounts established in the judgment in favor of the victim as compensation for pecuniary and non-pecuniary damage.

The order of October 18, 2023, is available [here](#) (only in Spanish).

8. Case of Guevara Díaz v. Costa Rica

On November 21, the Court issued an order in which it decided to close the case because Costa Rica had fully implemented all the measures of reparation ordered in the judgment of June 2022, namely:

- i. to appoint Luis Fernando Guevara Díaz to a position of equal or higher rank than the one for which he had applied, or to another position that suits his aptitudes and needs or, in the event that the victim decides not to be appointed to any position, to pay him the amount established in the judgment as restitutive compensation;
- ii. publish and disseminate the judgment and the official summary, as indicated in paragraph 92;
- iii. create and implement, during a period of three years, a training plan for officials of the Ministry of Finance on equality and non-discrimination against persons with disabilities;
- iv. pay the victim the amounts established in the judgment as compensation for pecuniary and non-pecuniary damage; and
- v. pay the representative of the victim the amount established in the judgment to reimburse costs and expenses

The order of November 21, 2023, is available [here](#) (only in Spanish).

F. | Compliance with guarantees of non-repetition

In 2023, the Court assessed compliance (total or partial) with various measures of reparation that constitute guarantees of non-repetition, which it considers desirable to highlight, in order to disseminate the progress achieved and the best practices of States. Owing to the type of structural changes entailed by the implementation of these measures, they benefit both the victims in each case and also society as a whole. Compliance with them calls for amendments to the law, modifications of case law, the design and execution of public policies, changes in administrative practices, and other actions that are particularly complex.

In 2023, the Court declared compliance (totally or partially) by the States of Argentina, Brazil, Costa Rica, Ecuador, and Paraguay.

a. **Argentina: Human Rights training for the Federal Police Argentina, the Police of Buenos Aires province, and the Judicial Police of said province**

In the judgment in the Case of Gutiérrez and family, delivered on November 25, 2013, the Court found Argentina responsible for violating the right to life, judicial guarantees, and judicial protection, for the participation of state agents in the execution of Assistant Commissioner Jorge Omar Gutiérrez, as well as in the obstruction of the investigation. Therefore, as a guarantee of non-repetition, the Court ordered the State to include in the training courses or study plans of the Federal Police of Argentina, the police of Buenos Aires province, and the Judicial Police of that province, training courses on the obligations to respect and guarantee human rights, particularly the right to life, and on the obligation to investigate with due diligence and effective judicial protection, as well as the control of conventionality, referring to the present case and the judgment.

In the order of March 21, 2023, the Court declared partial compliance with this guarantee of non-repetition, having confirmed that the State complied with the requirement to include in the curriculum of the police of Buenos Aires province the study of the specific topics ordered in the judgment. The Court found the following matters pending, requiring the State: (i) to make certain clarifications requested in that order regarding the contents of the training courses of the Federal Police, on the inclusion of the study the booklet that was prepared on the present case and the judgment in the training plans of this police unit, and (ii) to submit information regarding compliance with this reparation measure with respect to the Judicial Police of Buenos Aires province.

b. **Argentina: Regulation of the transfer of convicted persons deprived of liberty**

In the judgment in the Case of López et al., issued on November 25, 2019, the Court stated that, by transferring the inmates Néstor López, Hugo Blanco, Miguel González, and José Muñoz to prisons located far from the province of Neuquén, without prior or subsequent evaluation of the impacts on their private lives and family circumstances, the State failed to comply with its obligation to take actions to protect persons from arbitrary or illegal interference in their private and family lives, as well as its obligation to foster effective respect for family life. In this regard, the Court also analyzed the incompatibility with the American Convention of Article 72 of the National Criminal Enforcement Law of Argentina, which was applied to the victims in this case for their transfer from one federal prison to another. Thus, the Court concluded that this rule is not compatible with the principle of legality established in Article 30 of the American Convention. Accordingly, as a guarantee of non-repetition, it ordered the State to adopt the necessary measures to guarantee to all persons deprived of liberty (whether convicted or not), "the maximum contact with their families, their representatives, and the outside world," to the extent possible. This implies, inter alia, the duty to avoid unjustified separations between persons deprived of liberty and their families, which could arise, as in this case, through the transfer of persons deprived of liberty to prisons located very far away from their families.

In the order of September 4, 2023, the Court monitored this guarantee of non-repetition and declared its partial compliance. The Court recognized that the State has made significant progress, since it approved an administrative measure (“Protocol for the Transfer of Persons Deprived of Liberty in the Federal Prison Service”) that regulates the transfer of persons deprived of liberty between federal penitentiaries, in accordance with the American Convention and the standards developed in the judgment. However, the Court emphasized that this protocol is not a rule of legal rank and article 72 of the National Criminal Enforcement Law remains in effect in the same terms as when the Court assessed its incompatibility with the American Convention in the judgment of this case. In this regard, the Court requested Argentina to indicate in its next report whether there is any legislative initiative aimed at reforming or regulating article 72 of the National Criminal Enforcement Law, in terms consistent with the Convention and the judgment.

c. Brazil: training of personnel involved in the care of persons with intellectual disabilities on the rights and principles that should govern their treatment

In the judgment in the Case of Ximenes Lopes, issued on July 4, 2006, the Court, taking into account the partial acknowledgment of international responsibility made by Brazil, declared the violation of the rights to life and personal integrity “for failure to ensure respect, prevention, and protection, in relation to the death and cruel, inhuman and degrading treatment suffered by Mr. Damião Ximenes Lopes” while he was interned at the “Casa de Reposo Guararapes” psychiatric care center, a private hospital contracted by the State to provide psychiatric care services. As a guarantee of non-repetition, the Court ordered Brazil to develop a training program for medical, psychiatric, psychological, and nursing staff as well as nursing assistants and all those involved in mental health care, on the principles that should govern the treatment of patients with mental disabilities, in accordance with international standards and the provisions of the judgment.

In the order of September 25, 2023, the Court declared full compliance with this reparation, given that Brazil began to implement the course on “Human Rights and Mental Health - Permanent Course Damião Ximenes Lopes,” which is “open to the public with a focus on health professionals, especially those working in the area of mental health, and is available on the platform of the Virtual School of Government.” The Court considered positive that the course includes the study of the international standards contained in the main international human rights instruments applicable to persons with mental disabilities, including the International Convention on the Rights of Persons with Disabilities, and the judgment in the present case. The Court also highlighted as positive the dissemination activities carried out on the official website of the Ministry of Human Rights and Citizenship, as well as on its social networks.

d. Costa Rica: Training plan for officials of the Ministry of Finance on equality and non-discrimination of persons with disabilities

In the judgment in the Case of Guevara Díaz, delivered on June 22, 2022, taking into account Costa Rica’s acknowledgment of international responsibility, the Court concluded that the State was responsible for violating the rights to equal protection before the law and to work, as well as to judicial guarantees and judicial protection to the detriment of Luis Fernando Guevara Díaz since he suffered discrimination based on his mental disabilities. As a guarantee of non-repetition, the Court ordered the State to develop a training plan for officials of the Ministry of Finance on equality and non-discrimination against persons with disabilities, specifically addressing the essential content of the State’s obligation to respect and guarantee the right to work of persons with disabilities in hiring, selection, promotion, and dismissal, as well as the special duties arising when handling allegations alleging acts of discrimination based on disability. The Court also ordered that this plan be implemented for three years.

In the order of November 21, 2023, the Court declared Costa Rica's full compliance with this measure, given that in February 2023 the government approved the "Institutional Education and Training Program on Equality and Non-discrimination of Persons with Disabilities, in the Ministry of Finance," which began to be implemented in August 2023, using a "virtual modality." The Court confirmed that this program "is directed at all staff members of the Ministry of Finance" and addresses the contents stipulated in the judgment, including "diversity, inclusion, equity, human rights and the obligations of the State"; the "principal national and international legal standards related to the rights of persons with disabilities"; and "the employment situation of persons with disabilities in the Costa Rican labor market and its repercussions." The Court considered it positive that the State promoted "the participation of persons with disabilities" in teaching such courses and that, in addition to addressing the aforementioned topics, the courses included "practical exercises" on situations involving persons with disabilities in the labor sphere. In assessing compliance with this measure, the Court noted that, although the three-year period of implementation ordered in the judgment had not expired, the training program was planned to be executed over "the next three years" and has defined annual goals.

e. Ecuador: Training programs for members of the Armed Forces on the prohibition of discrimination based on sexual orientation

In the judgment in the Case of Flor Freire, delivered on August 31, 2016, the Court ruled that Mr. Homero Flor Freire was discharged from his position as an officer in the Ecuadorian Army based on a disciplinary proceeding that violated his rights to equality before the law, prohibition of discrimination and the guarantee of impartiality, for allegedly having committed homosexual acts within military installations. In the proceedings against him, internal regulations were applied that punished "homosexual acts" more severely compared with non-homosexual acts. As a guarantee of non-repetition, the Court ordered Ecuador to implement continuous and ongoing training programs for members of the Armed Forces and for officers in charge of military disciplinary procedures on the prohibition of discrimination based on sexual orientation, in order to ensure that sexual orientation, actual or perceived, in no way constitutes grounds for discriminatory treatment.

In the order of October 18, 2023, the Court declared Ecuador's full compliance with this reparation, given that the State created a "Human Rights Module" for inclusion in the permanent training programs for military personnel. Its contents include three broad topics: (i) "The nature of sexual orientation", (ii) "Prohibition of discrimination based on sexual orientation," and (iii) the "Case Study" of the judgment in the case of Flor Freire v. Ecuador. Implementation of this training module began in 2023.

f. Ecuador: training plan for judicial officials on the rights to freedom of expression, judicial guarantees, and judicial protection

In the judgment in the Case of Palacio Urrutia et al., delivered on November 24, 2021, the Court declared the international responsibility of Ecuador for the violation of freedom of expression to the detriment of journalist Emilio Palacio Urrutia and of three directors of El Universo newspaper, who were convicted of "serious slanderous insult against an authority" and issued with a civil sanction for publishing an opinion article on a matter of public interest. As a guarantee of non-repetition, the Court ordered Ecuador to "create and implement [...] a training plan for public officials, to ensure that they have the necessary knowledge in the field of human rights. The training should focus on the analysis of the case law in the Inter-American System for the Protection of Human Rights in relation to freedom of expression, as well as the rights to judicial guarantees and judicial protection." It also required that these programs be specifically directed at members of the Judiciary, including prosecutors and judges.

In the order of October 18, 2023, the Court declared full compliance with this measure, given that Ecuador created and implemented a virtual workshop on "Freedom of expression and human rights" directed at prosecutors and judges, as well as other officials, within the term stipulated in the judgment. As to its contents, the Court confirmed that the workshop included the study of international standards related to freedom of

expression, judicial guarantees, and judicial protection, as well as the judgment in the instant case. Furthermore, the Court appreciated the fact that the State reported that it was making additional efforts to include the study of this judgment in the permanent training programs for prosecutors and judges and to create a permanent virtual course on these topics.

g. Paraguay: include human rights programs in the academic curricula of military training colleges on the State's obligations to all persons who perform military service

In the judgment in the Case of Noguera et al., issued on March 9, 2020, the Court took into account Paraguay's partial acknowledgment of international responsibility and concluded that the State violated the rights to life, personal integrity and the rights of the child to the detriment of Vicente Noguera because the authorities failed to clarify the circumstances of his death at a military establishment. In addition, they were unable to refute the evidence regarding the possibility of a violent death. As a guarantee of non-repetition, the Court ordered the State to include, within one year from notification of the judgment, human rights training programs, "with an emphasis on international standards and the State's special role as guarantor of all persons who perform military service," within the academic military training curriculum of the General Staff College (Escuela de Estado Mayor) and the Officers' Training Colleges of the three Armed Forces."

In the order of April 19, 2023, the Court declared the State's full compliance with this measure, having confirmed that the "Human Rights and International Humanitarian Law Program for the Armed Forces of the Nation" forms part of the obligatory curricula of the different academic training institutions of the Armed Forces, including the Military Cadets Training Centre, the Reserve Officers' College and the General Staff College of the Army, the Air Force and the Navy. Regarding the contents of the program, the Court noted that it covers aspects such as the "essential rights" of "military personnel on active duty", as well as the merits report issued by the Inter-American Commission on Human Rights in this case, and urged the State to include, inter alia, the study of the judgment issued in this case.

G. Compliance with the obligation to investigate, prosecute and punish, as appropriate

The obligation to investigate is one of the measures that States must adopt to guarantee the rights recognized in the American Convention, as well as to contribute to the reparation of victims and their next of kin. In particular, it is the obligation of the States to guarantee the rights to life, integrity, and personal liberty through the effective investigation of the facts that affected such rights and, if applicable, the punishment of those responsible.⁹⁹ This obligation has been ordered in a multiplicity of the Court's judgments, and is one of the most difficult measures for States to comply with, given the numerous difficulties faced in its implementation, including legal obstacles such as the ongoing application of amnesty laws; failings in the justice systems; cover-ups, pacts of silence or coercion by those responsible; lack of access to records to obtain evidence; failure to obtain evidence at the appropriate moment or failings in the chain of custody of evidence; the time

⁹⁹ This obligation implies that States must remove all obstacles, of fact and of law, that impede the due investigation of the facts, and use all available means to expedite such investigation and the respective procedures, in order to avoid the repetition of violations. The Inter-American Court has established that this is an obligation of means and not of result, that must be assumed by the State as its own legal duty and not as a simple formality condemned in advance to be fruitless, or as a mere handling of private interests, that depends on the procedural initiative of the victims, of their relatives or of the private contribution of evidential elements.

elapsed since the events occurred and the timing of the investigation; and lack of personnel or insufficient resources to drive forward the investigations.

For this reason, it is important to highlight those cases in which the Inter-American Court has determined that the State's efforts have been sufficient to declare full or partial compliance with this obligation.¹⁰⁰ The cases in which the Court declared partial compliance with this obligation during 2023 are described below.

a. Case of Gutiérrez and Family v. Argentina: determining the criminal responsibility of two police agents for the extrajudicial execution of Mr. Jorge Omar Gutiérrez

In the judgment in the Case of Gutiérrez and Family, issued on November 25, 2013, the Court found Argentina responsible for violations of the right to life, judicial guarantees, and judicial protection, due to the participation of state agents in the murder of Assistant Commissioner Jorge Omar Gutiérrez, and the obstruction of the investigation. In this regard, the Court found that the criminal investigation was "plagued with irregularities and omissions [...] in the gathering of evidence, in following logical lines of inquiry and in the analysis of the facts of the case," and that there were "serious obstructions and threats toward witnesses," which remain in impunity. Therefore, it ordered the State to undertake, with due diligence and within a reasonable time, the appropriate investigations and criminal proceedings, in order to identify, prosecute and, if appropriate, punish the perpetrators and the intellectual perpetrators involved in the murder of the victim, and to establish the truth of the facts, considering the criteria regarding investigations in these types of cases.

In the order of March 21, 2023, the Court declared partial compliance with this measure. In this regard, the Court was encouraged by the fact that the State has made progress in determining criminal responsibility and in the conviction of two police officers for the murder of Mr. Gutiérrez. These individuals were investigated as possible perpetrators since the investigations into the facts of this case began in 1994. At the time of the order, the convictions were not final, due to appeals filed by the convicted persons. Therefore, the Court requested the State to provide updated and detailed information on the judicial decision regarding these appeals against the aforementioned conviction, or on the status of their processing, as well as to adopt the necessary measures to ensure that they are resolved with due diligence and as soon as possible.

b. Case of Hacienda Brazil Verde v. Brazil: determination of criminal responsibility of the owner and manager of the hacienda for the crime of reduction of a condition analogous to a slave and other crimes

In the judgment delivered on October 20, 2016, the Court ordered Brazil to "re-open, with due diligence, the relevant investigations and/or criminal proceedings for the facts verified in March 2000, in this case in order to identify, prosecute and punish, as appropriate, those responsible, within a reasonable time." In particular, the Court ordered the State to conduct an investigation and, if appropriate "reestablish (or reconstruct) the criminal proceedings [...] opened in 2001, before the Second Jurisdiction of the Marabá Federal Justice Department, state of Pará."

¹⁰⁰ Prior to 2023, the Court declared full compliance with the obligation to investigate in two cases (one against Colombia and another against Peru), and partial compliance in 17 cases (three against Argentina, one against Bolivia, one against Brazil, three against Colombia, four against Guatemala, one against Mexico, three against Peru and one against Uruguay).

In the order of October 18, 2023, the Court declared partial compliance with this obligation. The Court appreciated the fact that Brazil created the “Brazil Verde Working Group” within the Federal Public Prosecutor’s Office, in order to move forward with the investigation that was reopened, and that the criminal proceeding progressed until a judgment was issued on June 27, 2023, in which the owner and the manager of the Hacienda Brazil Verde were convicted for the crimes of keeping “workers in conditions analogous to slavery” and “unlawful recruitment of workers from one part of the national territory to another,” to the detriment of the victims in this case, and sentenced to seven years and six months imprisonment, in addition to payment of a fine. The Court also considered it positive that, in the course of the criminal proceedings, the Fourth Chamber of the Federal Regional Court of the First Region, which in 2018 rejected the writ of habeas corpus filed by the defendants, relied on international law and the “constant case law” of the Inter-American Court to declare that the statute of limitations for criminal action is “inadmissible and inapplicable [...] when it concerns serious human rights violations [...]” Similarly, this criterion was reaffirmed by the Federal Civil and Criminal Judge of the Judiciary Subsection of Redención-PA in the conviction issued in June 2023. In order to conclude that the statute of limitations did not apply in the present case, he based his decision on the jurisprudence of said Federal Court and on what was ordered by this Court in the Judgment. Taking into account that the aforementioned convictions were not final because the appeals filed against them had not been resolved, the Court decided to continue with the monitoring of this measure so that the State would submit information on the decision resolving said appeals.

H. Partial compliance with the obligation to search for, locate, identify, and hand over the remains of disappeared persons

In its case law, the Court has recognized the States’ obligation to search for and locate disappeared persons. This obligation must be undertaken efficiently, appropriately, and diligently, and separately from the criminal investigations. The Court has also established that this obligation is related to the right of the next of kin of disappeared victims to know the truth about the fate or whereabouts of their loved ones. The Court has reiterated that it is of the utmost importance for the victims’ families to establish the whereabouts of the disappeared, to determine where their remains are, and ensure that they are reliably identified and handed over to their next of kin because it allows them to bury their loved ones according to their beliefs. This constitutes a measure of reparation that helps them close the grieving process and alleviates the anguish and suffering caused by the uncertainty over the whereabouts of their loved ones. Compliance with this measure also entails major challenges and difficulties.

For these reasons, it is important to highlight those cases in which the Inter-American Court has been able to confirm total or partial compliance with this obligation.¹⁰¹ The cases in which the Court has declared partial compliance with that obligation during 2023 are shown below:

a. Case of Rodríguez Vera et al. (Disappeared of the Palace of Justice) v. Colombia

In the judgment in the Case of Rodríguez Vera et al. (Disappeared of the Palace of Justice), issued on November 14, 2014, taking into account the partial acknowledgment of responsibility made by the Republic of Colombia, the Court concluded that the State was internationally responsible for certain human rights violations

¹⁰¹ Prior to 2023, the Court had declared full compliance with the search for the whereabouts of persons in a case against Peru and partial compliance in five cases (two involving El Salvador and three involving Peru).

committed in the context of the events known as “the taking” and “the retaking” of the Palace of Justice, in the city of Bogotá on November 6 and 7, 1985. The Court found the State responsible, inter alia, for the forced disappearance of seven employees of the cafeteria in the Palace of Justice (Carlos Augusto Rodríguez Vera, Cristina del Pilar Guarín Cortés, David Suspes Celis, Bernardo Beltrán Hernández, Héctor Jaime Beltrán Fuentes, Gloria Stella Lizarazo Figueroa, Luz Mary Portela León), two visitors (Lucy Amparo Oviedo Bonilla and Gloria Anzola de Lanao) and one M-19 guerrilla (Irma Franco Pineda), as well as for the forced disappearance and extrajudicial execution of auxiliary magistrate Carlos Horacio Urán Rojas. The Court also declared Colombia responsible for failing to ensure the right to life and failure to determine the whereabouts of Norma Constanza Esguerra Forero at the date of the judgment. Accordingly, it ordered the State to conduct a rigorous search, making every effort to determine the whereabouts of the eleven victims who are still disappeared, including the “ten victims who were forcibly disappeared and Norma Constanza Esguerra.”

In the order of February 7, 2023, the Court declared partial compliance with this measure. It noted with satisfaction that the State had designed and implemented a specific search plan for the case (“Search Plan for the Disappeared of the Palace of Justice”). In the context of the implementation of this plan, by August 2022, the remains of 47 victims of the events at the Palace of Justice had been identified and had gradually been handed over to their respective families in different parts of the country. The Court considered it positive that, among the remains that have been located and reliably identified, are those belonging to six of the eleven victims in this case (Cristina del Pilar Guarín Cortés, Bernardo Beltrán Hernández, Héctor Jaime Beltrán Fuentes, Luz Mary Portela León, Lucy Amparo Oviedo Bonilla and Gloria Anzola of Lanao). It also noted that the remains of these six victims were handed over during procedures that were agreed upon with their respective family members, which included the funerals and were preceded by meetings in which they were provided with a technical-scientific explanation of the findings. The Court kept open the monitoring of compliance with this measure of reparation because the State has yet to determine the whereabouts of the five remaining victims (Carlos Augusto Rodríguez Vera, Irma Franco Pineda, David Suspes Celis, Gloria Stella Lizarazo and Norma Costanza Esguerra).

b. Case of 19 Tradesmen v. Colombia

In the judgment on merits, reparations, and costs in the Case of 19 Tradesmen, issued on July 5, 2004, the Court confirmed that after the death of the 17 tradesmen, their bodies were dismembered and thrown into the waters of the stream of “El Ermitaño,” a tributary of the Magdalena River, near the site of “Palo de Mango.” It also confirmed that around 15 days after their disappearance, the victims Juan Alberto Montero Fuentes and José Ferney Fernández Díaz went in search of the disappeared tradesmen and that during that search, members of the “paramilitary” group that operated in the Municipality of Puerto Boyacá detained them and then, “they suffered the same fate as the first seventeen (17) disappeared.” The Court recognized that “due to the way in which the remains of the 19 tradesmen were treated, and the fact that more than sixteen years have passed since their disappearance, it was very probable that their remains would not be found.” It was also confirmed that “Colombia did not carry out a proper search” and that “the omissions of the State, at the time when it was still probable that the remains of the victims could be found, has meant that locating the remains is now a very difficult and improbable task. Despite this, the State declared that it has “the procedural obligation” to “take steps to locate the remains of the victims and deliver them to their next of kin.” Consequently, the judgment ordered the State “to conduct a genuine search, making every possible effort to determine with certainty what happened to the remains of the victims and, if possible, to return these to their next of kin.”

In the order of November 21, 2023, the Court declared that the State has been complying with this measure, and must continue to do so, because the State demonstrated that it has made efforts to try to determine with certainty the fate of the victims disappeared in this case. Although it did not obtain positive results in terms of locating the remains of the victims, the Court considered it positive that between 2009 and 2015, the Attorney General’s Office devised and implemented a specific “Search Plan” for this case, which was carried out with the approval and participation of the Colombian Commission of Jurists, an organization that is a civil party in the criminal investigation of the facts of this case and represents the victims in this international proceeding. This

search plan was developed in different stages. Also, in 2016, in response to a request by the representatives and in coordination with them, several efforts were made to inform the victims' families of the progress made in the search plan for this case. These actions included the preparation of various documents on the search and the organization of a "national event" in the city of Bucaramanga during which, among other activities, documents and reports related to the investigation and search were handed over to the victims' families, together with a report on the historic background to this case. In addition, the Court noted that in 2020 the State reported that the prosecutor's office had ordered a new search. However, at the time the order was issued, it was not known whether or not this effort had been carried out and its results.

The Court stated that, although it recognized the immense pain that the victims' families have endured for more than 36 years, for the forced disappearance of their loved ones, as well as their frustration over the negative results obtained after implementing the search plan with respect to locating their remains, it cannot ignore the fact that the State has been complying with the reparation measures ordered in the judgment. The Court decided to continue monitoring this measure of reparation, considering that from the information provided by the State, it was clear that search actions have been identified that still need to be carried out by the Prosecutor General's Office, and asked the State to submit information in this regard. It also ordered the State to report, *inter alia*, whether the search for the whereabouts of the victims in this case is included in the massive search plans being carried out by State entities of an extrajudicial nature.

I. Application of Article 65 of the American Convention to inform the OAS General Assembly on non-compliance

At present, 21 cases are subject to the application of Article 65 of the American Convention (two cases involving Haiti, two cases involving Nicaragua, two cases involving Trinidad and Tobago, and 15 cases involving Venezuela). The list of cases can be found [here](#).

Regarding the application of Article 65 of the American Convention on Human Rights, it should be recalled that this article establishes that, in the Annual Report on its work that the Court submits to the consideration of the OAS General Assembly, "[i]t shall specify, in particular, the cases in which a State has not complied with its judgments, making any pertinent recommendations." Also, Article 30 of the Inter-American Court's Statute stipulates that, in this Annual Report, "[i]t shall indicate those cases in which a State has failed to comply with the Court's ruling." As can be seen, the States Parties to the American Convention have established a system of collective guarantee. Thus, it is in the interests of each and every State to uphold the system for the protection of human rights that they themselves have created and to prevent inter-American justice from becoming illusory by leaving it to the discretion of a State's internal decisions.

When the Court has determined that Article 65 of the Convention and Article 30 of the Statute should be applied in cases of non-compliance with its judgments, and has informed the General Assembly of the Organization of American States by means of its Annual Report, unless the States have demonstrated that they are adopting the necessary measures to comply with the reparations ordered in the judgment, or the victims' representatives or the Commission have provided information on the implementation of, and compliance with, the provisions of the judgment that the Court must assess.

During 2023, the Court issued two orders applying Article 65 of the American Convention in three cases at the stage of monitoring compliance with judgment, in which provisional measures had been requested.

In the **Case of Molina Theissen v. Guatemala**, the Court issued an order on September 4, 2023, in which it decided:

In application of Articles 65 of the American Convention on Human Rights and 30 of the Statute of the Court, to include in the 2023 Annual Report [...] non-compliance by Guatemala with the “no change” measure issued by this Court in the context of the process of monitoring compliance with judgment [...]. [Emphasis added]

This “no change” provisional measure was ordered by the Court on March 24, 2023, so as to prevent irreparable harm to the right of access to justice of the victims. In relation to compliance with the obligation to investigate, prosecute, and punish the forced disappearance of the child Marco Antonio Molina Theissen, the Court ordered Guatemala to refrain from making any changes to the precautionary situation of the persons criminally convicted in the first instance court, until this Court could rule on the request for provisional measures presented by the victims’ representatives. In its order of September 4, 2023, the Court confirmed that judicial decisions were adopted in Guatemala that granted the alternative measure of house arrest without surveillance and restriction of movement in the departments of Guatemala and Alta Verapaz to those convicted in the court of first instance.

In the **Cases of Barrios Altos and La Cantuta v. Peru**, the Court issued an order on December 19, 2023, establishing that “the execution of the judgment of the Constitutional Court of March 17, 2022, based on the position that said court maintained in the orders of November 21 and December 4, 2023, and the consequent release of Alberto Fujimori Fujimori on December 6, 2023, amounted to contempt for this Court’s orders on monitoring compliance of May 30, 2018, and April 7, 2022, ordering “no change” urgent measures issued by the President of this Court on December 5, 2023.”

Furthermore, in that order of December 19, 2023, the Court ordered:

3. In application of Articles 65 of the American Convention on Human Rights and 30 of the Statute of the Court, include, in the Annual Report of the Inter-American Court of Human Rights for 2023, non-compliance by the State of Peru with the order of “no change” urgent measures issued by the President of the Inter-American Court on December 5, 2023, and with the order of the Inter-American Court of April 7, 2022 [...]. [Emphasis added]

In the order issued on December 5, 2023, the President of the Court had required the State, as a “no change” urgent measure, to “refrain from executing the order of the Constitutional Court of Peru of December 4, 2023, called for the ‘immediate release’ of Alberto Fujimori Fujimori, until the Inter-American Court of Human Rights has all the elements necessary to determine whether this decision complies with the conditions established in the Court’s order of April 7, 2022.” In this order of April 7, 2022, Peru was ordered to “refrain from executing the judgment issued by the Constitutional Court of Peru on March 17, 2022, which restores the effects of the pardon ‘for humanitarian reasons’ granted to Alberto Fujimori Fujimori on December 24, 2017, because it did not comply with the conditions established in the order on compliance with judgment of May 30, 2018.”

J. Requests for reports from sources that are not parties (Article 69(2) of the Rules of Procedure)

Starting in 2015, the Court has used the authority established in Article 69(2)¹⁰² of its Rules of Procedure to request relevant information on the implementation of reparations from “other sources” that are not parties

102 This article establishes that: “[t]he Court may require from other sources of information relevant data regarding the case in order to evaluate compliance therewith. To that end, the Tribunal may also request the expert opinions or reports that it considers appropriate.”

to a case. This has allowed it to obtain direct information from specific State organs and institutions that have a competence or function that is relevant for the implementation of the reparation or for requiring its implementation at the domestic level. This information differs from that provided by the State, as a party to the proceedings, at the stage of monitoring compliance.

During 2023, the Court applied this provision in the following cases:

- a. In the Case of the Xucuru Indigenous People and its members v. Brazil, on April 17, 2023, the National Council Justice of Brazil forwarded a brief on compliance with the measures related to guarantee immediately and effectively the right to collective property of the Xucuru Indigenous People over their territory and conclude the regularization process of the Xucuru indigenous territory. The President of the Court decided to include this brief in the case file as another source of information, in the application of Article 69(2) of the Rules of Procedure.
- b. In the Case of the Workers of Hacienda Brazil Verde v. Brazil, on July 11, 2023, the National Council of Justice of Brazil forwarded a brief on compliance with the reparation regarding the investigation of the facts. The President of the Court decided to include this brief in the case file as another source of information, pursuant to Article 69(2) of the Rules of Procedure.
- c. In the Case of Favela Nova Brazilia v. Brazil, at the request of the President of the Court, the National Council of Justice provided an oral report on the private hearing on monitoring compliance held in Brazilia, Brazil on October 26, 2023, in which it presented the information it considered relevant, within its terms of reference, regarding compliance with several reparations. Subsequently, the President of the Court considered it timely to ask the National Council of Justice for a written report on compliance with the measures of reparation that were the subject of this hearing.
- d. In the Case of Herzog et al. v. Brazil, at the request of the President of the Court, the National Council of Justice provided an oral report on the private hearing on monitoring compliance held in Brazilia, Brazil on October 26, 2023, in which it presented information it considered relevant, within its terms of reference, on compliance with the guarantee of non-repetition regarding recognition of the non-application of the statute of limitations to actions involving crimes against humanity and international crimes. Subsequently, the President of the Court requested the National Council of Justice to provide a written report on compliance with that guarantee of non-repetition, as well as on the investigation of the facts.
- e. In the Case of the Workers of the Fireworks Factory in Santo Antônio de Jesus and their Families v. Brazil, on December 7, 2023, the President of the Court considered it timely to require the National Council of Justice of Brazil to report on compliance with the measure to provide medical, psychological or psychiatric treatment.
- f. In the Case of Sales Pimenta v. Brazil, on December 14, 2023, the National Council of Justice filed a brief on compliance with the reparation related to the creation of a working group to identify the causes of structural impunity related to violence against defenders of the human rights of rural workers. The President of the Court decided to include this brief in the case file as another source of information, in the application of Article 69(2) of the Rules of Procedure.
- g. In the Case Petro Urrego v. Colombia, on December 21, 2023, the Office of the Attorney General of Colombia submitted a brief on “the progress, and challenges faced by the constitutional oversight body in complying with the judgment” in this case. The President of the Court decided to include this brief in the case file as another source of information, in the application of Article 69(2) of the Rules of Procedure.
- h. In the Case Radilla Pacheco v. Mexico, at the request of the President of the Court, the National Human Rights Commission provided an oral report during a private hearing on monitoring compliance, held on May 13, 2023, in which it presented the information that it considered relevant, within its terms of reference, regarding compliance with three measures of reparation.

- i. In the Case of the Gómez Paquiyauri Brothers v. Peru, the President of the Court considered it timely to require the Ministry of Education of Peru to report on compliance with the measure of reparation related to the establishment of a scholarship for studies up to university level in favor of Nora Emely Gómez Peralta.
- j. In the Case of Acevedo Buendía et al. v. Peru, on January 19, 2023, the Comptroller General of the Republic submitted information on compliance with the measure regarding the execution of the judgments of the Constitutional Court of Peru of October 21, 1997, and January 26, 2001, with respect to the reimbursement of unpaid salaries to the victims.

It is particularly important to highlight the work carried out by the National Council of Justice of Brazil in relation to compliance with the judgments of the Inter-American Court, for which purpose it even created the “Human Rights Observatory,” which includes the “Working Group to monitor and oversee compliance with the judgments of the Inter-American Court of Human Rights.”

K. | Informal meetings held by the Court with state agents

During 2023, the Court continued with the positive experience of holding virtual or in-person meetings with state agents to provide them with information or to discuss the status of cases at the stage of monitoring compliance with judgment. This type of meeting was held with agents of Argentina, Brazil, Chile, Colombia, El Salvador, and Mexico. These are informal meetings, rather than monitoring hearings, but they have a positive impact by increasing communication on matters such as the different reparations that States must comply with, deadlines for the presentation of reports, requests submitted by the State for the Court to assess compliance with reparations, and objections presented by representatives of the victims and the Commission, among other matters.

L. | Roundtables for dialogue on compliance with judgments

In 2023, the Court recognized the importance of organizing non-judicial activities that allow for an informal discussion on the advances and challenges faced in compliance with its judgments. Last year, the Court co-organized, with the Max Planck Institute and the States of **Chile and Colombia**, two “roundtables” in those countries. These events provided opportunities to discuss improvements and progress in the task of monitoring compliance and the actions necessary for the implementation of reparations.

The event in Chile took place on April 26, 2023, during the Court’s 157th Regular Session held in Santiago. The roundtable in Colombia took place on October 12, during the Court’s 162nd Regular Session, held in Bogotá.

Both events were attended by Members of the Court and its Secretariat, including Judge Rodrigo Mudrovitsch and the Director and lawyers of the Unit for Monitoring Compliance with Judgments of the Court’s Secretariat. In addition, authorities and officials from different public institutions participated, as well as representatives of the victims of the different cases at the monitoring stage of the States of Chile and Colombia.

M. | Participation and support of academia and civil society

The interest in the execution of the Inter-American Court’s judgments shown by academia, non-governmental organizations, and other members of civil society is also extremely important.

The filing of amicus curiae briefs (Article 44(4) of the Court's Rules of Procedure) gives third parties, who are not party to the proceedings, an opportunity to provide the Court with their opinion or information on legal considerations concerning aspects that relate to compliance with reparations. In 2023, the Court received amicus curiae briefs in relation to compliance with the judgments in the following cases: Radilla Pacheco v. Mexico, Alvarado Espinoza et al. v. Mexico, Digna Ochoa and family members v. Mexico.

Similarly, the contribution that organizations and academia can make in their respective areas of work is vital, through activities and initiatives for the dissemination of judicial standards and others aimed at studying, expressing opinions, and discussing essential aspects and challenges regarding both the impact of and compliance with the Court's rulings, as well as promoting such compliance. Examples of such initiatives are the seminars, meetings, workshops, and projects organized to this end, as well as the "Observatories" on the inter-American system of human rights or to follow up on compliance with judgments.¹⁰³

The most important activities carried out in 2023 included:

- ▶ **June 19 to 20** -Guadalajara, Mexico: Meeting of experts on "Compliance with International Decisions on Human Rights: Challenges and Proposals," organized jointly by Jesuit University Guadalajara ITESO and USADI (United States Agency for International Development).
- ▶ **December 4 to 8:** In the context of the Court's joint collaboration with the Max Planck Institute and the Konrad Adenauer Foundation, the Inter-American Court co-organized two seminars and a colloquium in Heidelberg, Germany, at the Max Planck Institute for Public Comparative Law and International Law. These activities covered different aspects related to the impact of human rights rulings, monitoring compliance with judgments, and the strengthening of democracy. On behalf of the Court, the President, Judge Ricardo C. Pérez Manrique, the Registrar, Pablo Saavedra Alessandri, and the Director of Monitoring Compliance with Judgments, Gabriela Pacheco Arias, participated. In addition, a memorandum of understanding was signed between the Inter-American Court and the Max Planck Institute.

N. | List of cases at the stage of monitoring compliance with judgment

The Court ended 2023 with 295 cases at the stage of monitoring compliance with judgment; of these:

- In 72 cases¹⁰⁴ (27%), one or two reparations are pending compliance.
- Article 65 of the American Convention has been applied in 21 cases (7%).

The updated list of cases at the stage of monitoring compliance with judgment is available [here](#).

During 2023, 26 judgments were handed down ordering 176 measures of reparation. In addition, in 2023, eight

¹⁰³ Such as: the "Observatory on the inter-American system of human rights" at the UNAM Legal Research Institute; the "Observatory of the Inter-American Association of Public Defenders (AIDDEF) on compliance with the judgments of the Inter-American Court of Human Rights"; the "Permanent Observatory on compliance with judgments of the Inter-American Court of Human Rights in Argentina and monitoring of the inter-American system of human rights" of the Faculty of Legal and Social Sciences of the Universidad Nacional del Litoral, Argentina; the "Paola Guzmán Albarracín Observatory" composed of "Civil Society and Academic Organization of Ecuador and the whole region [...] in order to follow up on the measures established in the guarantee of non-repetition ordered" in the judgment in the case of Guzmán Albarracín v. Ecuador.

¹⁰⁴ Excluding those subject to application of Article 65 of the Convention.

cases were closed because all the reparations ordered in the respective judgments had been completed. The list of cases closed due to full compliance can be found [here](#).

The cases in which the Court is monitoring compliance with judgment appear below in three lists. The first list includes the 202 cases with more than two measures pending compliance. The second list specifies the 72 cases with 1 or 2 measures pending compliance. The third list comprises the 21 cases in which the Court has applied Article 65 of the American Convention, without noting any change in the situation.

LIST OF CASES AT THE MONITORING STAGE WITH MORE THAN 2 REPARATIONS PENDING COMPLIANCE [EXCLUDING THOSE TO WHICH ARTICLE 65 OF THE CONVENTION HAS BEEN APPLIED]			
Number Total	Number by State	Name of the Case	Date of judgment establishing reparations
ARGENTINA			
1	1	Bayarri	October 30, 2008
2	2	Torres Millacura et al.	August 26, 2011
3	3	Furlan and Family	August 31, 2012
4	4	Mendoza et al.	May 14, 2013
5	5	López et al.	November 25, 2019
6	6	Jenkins	November 26, 2019
7	7	Indigenous Communities members of the Lhaka Honhat (Our Land) Association	February 6, 2020
8	8	Acosta Martínez et al.	August 31, 2020
9	9	Fernández Prieto and Tumbeiro	September 1, 2020
10	10	Almeida	November 17, 2020
11	11	Julien Grisonas et al.	September 23, 2021
12	12	Brítez Arce et al.	November 16, 2022
13	13	Álvarez	March 24, 2023
14	14	Boleso	May 22, 2023
15	15	María et al.	August 22, 2023
BOLIVIA			
16	1	Ticona Estrada et al.	November 27, 2008
17	2	Ibsen Cárdenas and Ibsen Peña	September 1, 2010
18	3	Flores Bedregal et al.	October 17, 2022
19	4	Valencia Campos et al.	October 18, 2022
20	5	Angulo Losada	November 18, 2022
BRAZIL			
21	1	Gomes Lund et al.	November 24, 2010
22	2	Workers of the Hacienda Brazil Verde	October 20, 2016
23	3	Favela Nova Brazilia	February 16, 2017
24	4	Herzog et al.	March 15, 2018

**LIST OF CASES AT THE MONITORING STAGE WITH MORE THAN 2 REPARATIONS PENDING COMPLIANCE
[EXCLUDING THOSE TO WHICH ARTICLE 65 OF THE CONVENTION HAS BEEN APPLIED]**

Number Total	Number by State	Name of the Case	Date of judgment establishing reparations
25	5	Workers of the Fireworks Factory of Santo Antônio de Jesus	July 15, 2020
26	6	Barbosa de Souza et al.	September 7, 2021
27	7	Sales Pimenta	June 30, 2022
28	8	Tavares Pereira et al.	November 16, 2023
29	9	Airton Honorato et al.	November 27, 2023
CHILE			
30	1	Palamara Iribarne	November 22, 2005
31	2	Norín Catrimán et al. (Leaders, Members and Activist of the Mapuche Indigenous People)	May 29, 2014
32	3	Poblete Vilches et al.	March 8, 2018
33	4	Vera Rojas et al.	October 1, 2021
34	5	Teachers of Chañaral and other Municipalities	November 10, 2021
35	6	Pavez	February 4, 2022
36	7	Baraona Bray	November 24, 2022
COLOMBIA			
37	1	Las Palmeras	November 26, 2002
38	2	19 Tradesmen	July 5, 2004
39	3	Gutiérrez Soler	September 12, 2005
40	4	Mapiripán Massacre	September 15, 2005
41	5	Pueblo Bello Massacre	January 31, 2006
42	6	Ituango Massacres	July 1, 2006
43	7	La Rochela Massacre	May 11, 2007
44	8	Valle Jaramillo et al.	November 27, 2008
45	9	Manuel Cepeda Vargas	May 26, 2010
46	10	Vélez Restrepo and Family	September 3, 2012
47	11	Afro-descendant Communities of the Río Cacarica Basin (Operation Genesis)	November 20, 2013
48	12	Rodríguez Vera et al. (Disappeared of the Palace of Justice)	November 14, 2014
49	13	Yarce et al.	November 22, 2016
50	14	Vereda La Esperanza	August 31, 2017
51	15	Villamizar Durán et al.	November 20, 2018

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[EXCLUDING THOSE TO WHICH ARTICLE 65 OF THE CONVENTION HAS BEEN APPLIED]**

Number Total	Number by State	Name of the Case	Date of judgment establishing reparations
52	16	Isaza Uribe et al.	November 20, 2018
53	17	Omeara Carrascal et al.	November 21, 2018
54	18	Petro Urrego	July 8, 2020
55	19	Bedoya Lima et al.	August 26, 2021
56	20	Movilla Galarcio et al.	June 22, 2022
57	21	Members and Militants of the Patriotic Union	July 27, 2022
58	22	Tabares Toro et al.	May 23, 2023
59	23	Guzmán Medina et al.	August 23, 2023
60	24	Members of the José Alvear Restrepo Lawyers Collective Corporation (CAJAR)	October 18, 2023
ECUADOR			
61	1	Kichwa Indigenous People of Sarayaku	June 27, 2012
62	2	Gonzales Lluy et al.	September 1, 2015
63	3	Herrera Espinoza et al.	October 28, 2016
64	4	Montesinos Mejía	January 27, 2020
65	5	Carranza Alarcón	February 3, 2020
66	6	Guachalá Chimbó et al.	March 26, 2021
67	7	Villarroel et al.	August 24, 2021
68	8	Garzón Guzmán	September 1, 2021
69	9	Casierra Quiñonez et al.	May 11, 2022
70	10	Mina Cuero v. Ecuador	September 7, 2022
71	11	Huacón Baidal et al.	October 4, 2022
72	12	Aroca Palma et al.	November 8, 2022
73	13	Aguinaga Aillón	January 30, 2023
74	14	Núñez Naranjo et al.	May 23, 2023
75	15	Meza	June 14, 2023
76	16	Viteri Ungaretti et al.	November 27, 2023
EL SALVADOR			
77	1	Serrano Cruz Sisters	March 1, 2005
78	2	García Prieto et al.	November 20, 2007
79	3	Contreras et al.	August 31, 2011
80	4	Massacres of El Mozote and nearby places	October 25, 2012
81	5	Rochac Hernández et al.	October 14, 2014

**LIST OF CASES AT THE MONITORING STAGE WITH MORE THAN 2 REPARATIONS PENDING COMPLIANCE
[EXCLUDING THOSE TO WHICH ARTICLE 65 OF THE CONVENTION HAS BEEN APPLIED]**

Number Total	Number by State	Name of the Case	Date of judgment establishing reparations
82	6	Ruano Torres et al.	October 5, 2015
83	7	Manuela et al.	November 2, 2021
GUATEMALA			
84	1	Bámaca Velásquez	February 22, 2002
85	2	Molina Theissen	July 3, 2004
86	3	Massacre Plan de Sánchez	November 19, 2004
87	4	Carpio Nicolle et al.	November 22, 2004
88	5	Fermín Ramírez	July 20, 2005
89	6	Raxcacó Reyes	September 15, 2005
90	7	Dos Erres Massacre	November 24, 2009
91	8	Chitay Nech et al.	May 25, 2010
92	9	Río Negro Massacres	September 4, 2012
93	10	Gudiel Álvarez et al. ("Diario Militar")	November 20, 2012
94	11	García and Family Members	November 29, 2012
95	12	Véliz Franco et al.	May 19, 2014
96	13	Human Rights Defender et al.	August 28, 2014
97	14	Velásquez Paiz et al.	November 19, 2015
98	15	Members of Chichupac Village and neighboring communities of the Municipality of Rabinal	November 30, 2016
99	16	Ramírez Escobar et al.	March 9, 2018
100	17	Coc Max et al. (Xamán Massacre)	August 22, 2018
101	18	Cuscul Pivaral et al.	August 23, 2018
102	19	Ruiz Fuentes et al.	October 10, 2019
103	20	Valenzuela Ávila	October 11, 2019
104	21	Rodríguez Revolorio et al.	October 14, 2019
105	22	Gómez Virula et al.	November 21, 2019
106	23	Maya Kaqchikel Indigenous Peoples of Sumpango et al.	October 6, 2021
107	24	Los Josefinos Massacre	November 3, 2021
108	25	Maya Q'eqchi' Indigenous Community of Agua Caliente	May 16, 2023

**LIST OF CASES AT THE MONITORING STAGE WITH MORE THAN 2 REPARATIONS PENDING COMPLIANCE
[EXCLUDING THOSE TO WHICH ARTICLE 65 OF THE CONVENTION HAS BEEN APPLIED]**

Number Total	Number by State	Name of the Case	Date of judgment establishing reparations
HAITI			
109	1	Baptiste et al.	September 1, 2023
HONDURAS			
110	1	Juan Humberto Sánchez	June 7, 2003
111	2	López Álvarez	February 1, 2006
112	3	Pacheco Teruel et al.	April 27, 2012
113	4	Garífuna Community of Triunfo de la Cruz and its members	October 8, 2015
114	5	Garífuna Community of Punta Piedra and its Members	October 8, 2015
115	6	Pacheco León et al.	November 15, 2017
116	7	Escaleras Mejía et al.	September 25, 2018
117	8	Vicky Hernández et al.	March 26, 2021
118	9	Lemoth Morris et al. (Miskito Divers)	August 31, 2021
119	10	Deras García et al.	August 25, 2022
120	11	Garífuna Community of San Juan and its members	August 29, 2023
121	12	Gutiérrez Navas et al.	November 29, 2023
MEXICO			
122	1	González et al. ("Cotton field")	November 16, 2009
123	2	Radilla Pacheco	November 23, 2009
124	3	Fernández Ortega et al.	August 30, 2010
125	4	Rosendo Cantú et al.	August 31, 2010
126	5	Cabrera García and Montiel Flores	November 26, 2010
127	6	Trueba Arciniega et al.	November 27, 2018
128	7	Women Victims of Sexual Torture in Atenco	November 28, 2018
129	8	Alvarado Espinoza et al.	November 28, 2018
130	9	Digna Ochoa and Family Members	November 25, 2021
131	10	Tzompaxtle Tecpile et al.	November 7, 2022
132	11	García Rodríguez et al.	January 25, 2023
NICARAGUA			

**LIST OF CASES AT THE MONITORING STAGE WITH MORE THAN 2 REPARATIONS PENDING COMPLIANCE
[EXCLUDING THOSE TO WHICH ARTICLE 65 OF THE CONVENTION HAS BEEN APPLIED]**

Number Total	Number by State	Name of the Case	Date of judgment establishing reparations
133	1	Acosta et al.	March 25, 2017
134	2	V.R.P., V.P.C. et al.	March 8, 2018
PANAMA			
135	1	Vélez Loor	November 23, 2010
PARAGUAY			
136	1	"Juvenile Reeducation Institute"	September 2, 2004
137	2	Yakye Axa Indigenous Community	June 17, 2005
138	3	Sawhoyamaxa Indigenous Community	March 29, 2006
139	4	Goiburú et al.	September 22, 2006
140	5	Xákmok Kásek Indigenous Community	August 24, 2010
141	6	Noguera et al.	March 9, 2020
142	8	Leguizamón Zaván et al.	November 15, 2022
143	9	Nissen Pessolani	November 21, 2022
144	10	López Sosa	May 17, 2023
145	11	Córdoba	September 4, 2023
PERU			
146	1	Loayza Tamayo	November 27, 1998
147	2	Cesti Hurtado	May 31, 2001
148	3	Barrios Altos	November 30, 2001
149	4	Cantoral Benavides	December 3, 2001
150	5	Durand and Ugarte	December 3, 2001
151	6	De la Cruz Flores	November 18, 2004
152	7	Gómez Palomino	November 22, 2005
153	8	García Asto and Ramírez Rojas	November 25, 2005
154	9	Acevedo Jaramillo et al.	February 7, 2006
155	10	Baldeón García	April 6, 2006
156	11	Penal Miguel Castro	November 25, 2006
157	12	La Cantuta	November 29, 2006
158	13	Cantoral Huamaní and García Santa Cruz	July 10, 2007
159	14	Anzualdo Castro	September 22, 2009
160	15	Osorio Rivera and family members	November 26, 2013
161	16	J.	November 27, 2013
162	17	Espinoza Gonzáles	November 20, 2014

**LIST OF CASES AT THE MONITORING STAGE WITH MORE THAN 2 REPARATIONS PENDING COMPLIANCE
[EXCLUDING THOSE TO WHICH ARTICLE 65 OF THE CONVENTION HAS BEEN APPLIED]**

Number Total	Number by State	Name of the Case	Date of judgment establishing reparations
163	18	Cruz Sánchez et al.	April 17, 2015
164	19	Peasant Community of Santa Bárbara	September 1, 2015
165	20	Galindo Cárdenas et al.	October 2, 2015
166	21	Quispialaya Vilcapoma	November 23, 2015
167	22	Tenorio Roca et al.	June 22, 2016
168	23	Pollo Rivera et al.	October 21, 2016
169	24	Munárriz Escobar et al.	August 20, 2018
170	25	Terrones Silva et al.	September 26, 2018
171	26	Muelle Flores	March 6, 2019
172	27	Rosadio Villavicencio	October 14, 2019
173	28	National Association of Discharged and Retired Employees of the National Tax Administration Superintendence (ANCEJUB-SUNAT)	November 21, 2019
174	29	Azul Rojas Marín et al. a	March 12, 2020
175	30	Casa Nina	November 24, 2020
176	31	Cuya Lavy et al.	September 28, 2021
177	32	National Federation Maritime and Port Workers (FEMAPOR)	February 1, 2022
178	33	Benites Cabrera et al.	October 4, 2022
179	34	Olivera Fuentes	February 4, 2023
180	35	Cajahuanca Vásquez	
181	36	Community of La Oroya	November 27, 2023
DOMINICAN REPUBLIC			
182	1	González Medina and Family	February 27, 2012
183	2	Nadege Dorzema et al.	October 24, 2012
184	3	Expelled Dominicans and Haitians	August 28, 2014
SURINAME			
185	1	Moiwana Community	June 15, 2005
186	2	Saramaka People	November 28, 2007
187	3	Kaliña and Lokono Peoples	November 25, 2015
TRINIDAD AND TOBAGO			
188	1	Dial et al.	November 21, 2022
URUGUAY			
189	1	Gelman	February 24, 2011

**LIST OF CASES AT THE MONITORING STAGE WITH MORE THAN 2 REPARATIONS PENDING COMPLIANCE
[EXCLUDING THOSE TO WHICH ARTICLE 65 OF THE CONVENTION HAS BEEN APPLIED]**

Number Total	Number by State	Name of the Case	Date of judgment establishing reparations
190	2	Maidanik et al.	November 15, 2021
VENEZUELA			
191	1	Chocrón	July 1, 2011
192	2	Landaeta Mejías Brothers et al.	August 27, 2014
193	3	Ortiz Hernández et al.	August 22, 2017
194	4	San Miguel Sosa et al.	February 8, 2018
195	5	López Soto et al.	September 26, 2018
196	6	Álvarez Ramos	August 30, 2019
197	7	Díaz Loreto et al.	November 19, 2019
198	8	Olivares Muñoz et al.	November 10, 2020
199	9	Mota Abarullo et al.	November 18, 2020
200	10	Guerrero, Molina et al.	June 3, 2021
201	11	González et al.	September 20, 2021
202	12	Rodríguez Pacheco et al.	September 1, 2023

**LIST OF CASES AT THE MONITORING STAGE WITH 1 OR 2 REPARATIONS PENDING COMPLIANCE
[EXCLUDING THOSE IN WHICH ARTICLE 65 OF THE CONVENTION WAS APPLIED]**

Number Total	Number by State	Name of the Case	Date of the Judgment that determines Reparations
ARGENTINA			
1	1	Garrido and Baigorria	August 27, 1998
2	2	Bulacio	September 18, 2003
3	3	Bueno Alves	May 11, 2007
4	4	Fontevicchia and D'Amico	November 29, 2011
5	5	Forneron and Daughter	April 27, 2012
6	6	Gutiérrez and Family	November 25, 2013

**LIST OF CASES AT THE MONITORING STAGE WITH 1 OR 2 REPARATIONS PENDING COMPLIANCE
[EXCLUDING THOSE IN WHICH ARTICLE 65 OF THE CONVENTION WAS APPLIED]**

Number Total	Number by State	Name of the Case	Date of the Judgment that determines Reparations
7	7	Gorigoitía	September 2, 2019
8	8	Spoltore	June 9, 2020
9	9	Valle Ambrosio et al.	July 20, 2020
BARBADOS			
10	1	Dacosta Cadogan	September 24, 2009
BOLIVIA			
11	1	Trujillo Oroza	February 27, 2002
12	2	I.V.	November 30, 2016
BRAZIL			
13	1	Garibaldi	September 23, 2009
14	2	Xucuru Indigenous People and its Members	February 5, 2018
CHILE			
15	1	Almonacid Arellano et al.	September 26, 2006
16	2	Atala Riffo and Daughters	February 24, 2012
17	3	García Lucero et al.	August 28, 2013
18	4	Maldonado Vargas et al.	September 2, 2015
19	5	Órdenes Guerra et al.	November 29, 2018
20	6	Urrutia Laubreaux	August 27, 2020
COLOMBIA			

**LIST OF CASES AT THE MONITORING STAGE WITH 1 OR 2 REPARATIONS PENDING COMPLIANCE
[EXCLUDING THOSE IN WHICH ARTICLE 65 OF THE CONVENTION WAS APPLIED]**

Number Total	Number by State	Name of the Case	Date of the Judgment that determines Reparations
21	1	Caballero Delgado and Santana	January 29, 1997
22	2	Escué Zapata	July 4, 2007
23	3	Santo Domingo Massacre	November 30, 2012
24	4	Carvajal et al.	March 13, 2018
25	5	Martínez Esquivia	October 6, 2020
ECUADOR			
26	1	Benavides Cevallos	June 19, 1998
27	2	Suárez Rosero	January 20, 1999
28	3	Tibi	September 7, 2004
29	4	Zambrano Vélez et al.	July 4, 2007
30	5	Chaparro Álvarez and Lapo Íñiguez	November 21, 2007
31	6	Vera Vera et al.	May 19, 2011
32	7	Vásquez Durand et al.	February 15, 2017
33	8	Guzmán Albarracín et al.	June 24, 2020
34	9	Grijalva Bueno	June 3, 2021
35	10	Palacio Urrutia et al.	November 24, 2021
GUATEMALA			
36	1	Blake	January 22, 1999

**LIST OF CASES AT THE MONITORING STAGE WITH 1 OR 2 REPARATIONS PENDING COMPLIANCE
[EXCLUDING THOSE IN WHICH ARTICLE 65 OF THE CONVENTION WAS APPLIED]**

Number Total	Number by State	Name of the Case	Date of the Judgment that determines Reparations
37	2	"White Van" (Paniagua Morales et al.)	May 25, 2001
38	3	"Street Children" (Villagrán Morales et al.)	May 26, 2001
39	4	Myrna Mack Chang	November 25, 2003
40	5	Maritza Urrutia	November 27, 2003
41	6	Tiu Tojín	November 26, 2008
42	7	Chinchilla Sandoval et al.	February 29, 2016
43	8	Gutiérrez Hernández et al.	August 24, 2017
44	9	Girón et al.	October 15, 2019
45	10	Former Employees of the Judiciary	November 17, 2021
HONDURAS			
46	1	Servellón García et al.	September 21, 2006
47	2	Kawas Fernández	April 3, 2009
48	3	Luna López	October 10, 2013
49	4	López Lone et al.	October 5, 2015
MEXICO			
50	1	García Cruz and Sánchez Silvestre	November 26, 2013
PANAMA			

**LIST OF CASES AT THE MONITORING STAGE WITH 1 OR 2 REPARATIONS PENDING COMPLIANCE
[EXCLUDING THOSE IN WHICH ARTICLE 65 OF THE CONVENTION WAS APPLIED]**

Number Total	Number by State	Name of the Case	Date of the Judgment that determines Reparations
51	1	Heliodoro Portugal	August 12, 2008
52	2	Kuna Indigenous Communities of Madungandí and Emberá of Bayano and their Members	October 14, 2014
PARAGUAY			
53	1	Vargas Areco	September 26, 2006
PERU			
54	1	Neira Alegría et al.	September 19, 1996
55	2	Castillo Páez	November 27, 1998
56	3	Constitutional Court	January 31, 2001
57	4	Ivcher Bronstein	February 6, 2001
58	5	"Five Pensioners"	February 28, 2003
59	6	Gómez Paquiyauri Brothers	July 8, 2004
60	7	Huilca Tecse	March 3, 2005
61	8	Dismissed Congressional Employees (Aguado Alfaro et al.)	November 24, 2006
62	9	Acevedo Buendía et al. ("Dismissed and Retired Employees of the Comptroller")	July 1, 2009
63	10	Tarazona Arrieta et al.	October 15, 2014

LIST OF CASES AT THE MONITORING STAGE WITH 1 OR 2 REPARATIONS PENDING COMPLIANCE [EXCLUDING THOSE IN WHICH ARTICLE 65 OF THE CONVENTION WAS APPLIED]			
Number Total	Number by State	Name of the Case	Date of the Judgment that determines Reparations
64	11	Canales Huapaya et al.	June 24, 2015
65	12	Wong Ho Wing	June 30, 2015
66	13	Zegarra Marín	February 15, 2017
67	14	Lagos del Campo	August 31, 2017
68	15	Dismissed Workers of Petro Peru et al.	August 22, 2018
69	16	Moya Solís	June 3, 2021
DOMINICAN REPUBLIC			
70	1	Girls Yean and Bosico	September 8, 2005
TRINIDAD AND TOBAGO			
71	1	Bissoon et al.	November 14, 2022
URUGUAY			
72	1	Barbani Duarte et al.	October 13, 2011

LIST OF CASES AT THE MONITORING STAGE IN WHICH ARTICLE 65 OF THE CONVENTION HAS BEEN APPLIED AND THE SITUATION HAS NOT CHANGED			
Total Number	Number by State	Name of the Case	Date of the judgment establishing Reparations
HAITI			
1	1	Yvon Neptune	May 6, 2008
2	2	Fleury et al.	November 23, 2011
NICARAGUA			
3	1	Yatama	June 23, 2005
4	2	Roche Azaña et al.	June 3, 2020
TRINIDAD AND TOBAGO			

LIST OF CASES AT THE MONITORING STAGE IN WHICH ARTICLE 65 OF THE CONVENTION HAS BEEN APPLIED AND THE SITUATION HAS NOT CHANGED

Total Number	Number by State	Name of the Case	Date of the judgment establishing Reparations
5	1	Hilaire, Constantine and Benjamin et al.	June 21, 2002
6	2	Caesar	March 11, 2005
VENEZUELA			
7	1	El Amparo	September 14, 1996
8	2	Caracazo	August 29, 2002
9	3	Blanco Romero et al.	November 28, 2005
10	4	Montero Aranguren et al. (Detention Center of Catia)	July 5, 2006
11	5	Apitz Barbera et al. ("First Court of Administrative Disputes")	August 5, 2008
12	6	Ríos et al.	January 28, 2009
13	7	Perozo et al.	January 28, 2009
14	8	Reverón Trujillo	June 30, 2009
15	9	Barreto Leiva	November 17, 2009
16	10	Usón Ramírez	20 November 2009
17	11	López Mendoza	September 1, 2011
18	12	Barrios Family	November 24, 2011
19	13	Díaz Peña	June 26, 2012
20	14	Uzcátegui et al.	September 3, 2012
21	15	Granier et al. (Radio Caracas Televisión)	June 22, 2015

LIST OF CASES CLOSED DUE TO COMPLIANCE WITH JUDGMENT

Number Total	Number by State	Name of the Case	Date of the judgment establishing reparations	Date of the order that closed the case
ARGENTINA				
1	1	Kimel	May 2, 2008	February 5, 2013
2	2	Mohamed	November 23, 2012	November 13, 2015
3	3	Mémoli	August 22, 2013	February 10, 2017
4	4	Cantos	November 28, 2002	November 14, 2017
5	5	Perrone and Preckel	October 8, 2019	November 17, 2021
6	6	Romero Feris	November 15, 2019	October 4, 2022
7	7	Hernández	November 22, 2019	May 24, 2023
8	8	Argüelles et al.	November 20, 2014	October 18, 2023

LIST OF CASES CLOSED DUE TO COMPLIANCE WITH JUDGMENT

Number Total	Number by State	Name of the Case	Date of the judgment establishing reparations	Date of the order that closed the case
BARBADOS				
9	1	Boyce et al.	November 20, 2007	March 9, 2020
BOLIVIA				
10	1	Pacheco Tineo Family	November 25, 2013	April 17, 2015
11	2	Andrade Salmón	December 1, 2016	February 5, 2018
BRAZIL				
12	1	Ximenes Lopes	July 4, 2006	September 25, 2023
13	2	Escher et al.	July 6, 2009	June 19, 2012
CHILE				
14	1	Last Temptation of Christ (Olmedo Bustos et al.)	November 5, 2001	November 28, 2003
15	2	Claude Reyes et al.	September 19, 2006	November 24, 2008
COLOMBIA				
16	1	Duque	February 26, 2016	March 12, 2020
COSTA RICA				
17	1	Herrera Ulloa	July 2, 2004	November 22, 2010
18	2	Artavia Murillo et al. (In vitro fertilization)	November 28, 2012	November 22, 2019
19	3	Gómez Murillo et al.	November 29, 2016	November 22, 2019
20	4	Amrhein et al.	April 25, 2018	October 7, 2019
21	5	Moya Chacón et al.	May 23, 2022	June 26, 2023
22	6	Guevara Díaz	June 22, 2022	November 21, 2023
ECUADOR				
23	1	Acosta Calderón	June 24, 2005	February 7, 2008
24	2	Mejía Idrovo	July 5, 2011	September 4, 2012
25	3	Albán Cornejo et al.	November 22, 2007	August 28, 2015
26	4	Suárez Peralta	May 21, 2013	August 28, 2015
27	5	Salvador Chiriboga	March 3, 2011	May 3, 2016
28	6	Constitutional Court (Camba Campos et al.)	August 28, 2013	June 23, 2016
29	7	García Ibarra et al.	November 17, 2015	November 14, 2017
30	8	Valencia Hinojosa et al.	November 29, 2016	March 14, 2018
31	9	Supreme Court of Justice (Quintana Coello et al.)	August 23, 2013	January 30, 2019

LIST OF CASES CLOSED DUE TO COMPLIANCE WITH JUDGMENT

Number Total	Number by State	Name of the Case	Date of the judgment establishing reparations	Date of the order that closed the case
32	10	Cortez Espinoza	October 18, 2022	August 30, 2023
33	11	Flor Freire	August 31, 2016	October 18, 2023
EL SALVADOR				
34	1	Colindres Schonenberg	February 4, 2019	November 18, 2020
GUATEMALA				
35	1	Maldonado Ordóñez	May 3, 2016	August 30, 2017
36	2	Villaseñor Velarde et al.	February 5, 2019	June 24, 2020
37	3	Martínez Coronado	May 10, 2019	December 19, 2022
HONDURAS				
38	1	Velásquez Rodríguez	July 21, 1989	September 10, 1996
39	2	Godínez Cruz	August 17, 1990	September 10, 1996
MEXICO				
40	1	Castañeda Gutman	August 6, 2008	August 28, 2013
NICARAGUA				
41	1	Genie Lacayo	January 29, 1997	August 29, 1998
42	2	Mayagna (Sumo) Awas Tingni Community	August 31, 2001	April 3, 2009
PANAMA				
43	1	Tristán Donoso	January 27, 2009	September 1, 2010
44	2	Baena Ricardo et al.	February 2, 2001	September 1, 2021
PARAGUAY				
45	1	Ricardo Canese	August 31, 2004	August 6, 2008
46	2	Ríos Avalos et al.	August 19, 2021	April 19, 2023
PERU				
47	1	Lori Berenson Mejía	November 25, 2004	June 22, 2012
48	2	Abrill Alosilla et al.	November 21, 2011	May 22, 2013
49	3	Castillo Petruzzi et al.	May 30, 1999	September 20, 2016
SURINAME				
50	1	Aloeboetoe et al.	September 10, 1993	February 5, 1997
51	2	Gangaram Panday	January 21, 1994	November 27, 1998
52	3	Liakat Ali Alibux	January 30, 2014	March 9, 2020