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Institution:	Inter-American Commission on Human Rights
File Number(s):	Case 12.367
Session:	Hundred and Tenth Regular Session (20 February – 9 March 2001)
Title/Style of Cause:	Mauricio Herrera Ulloa and Fernan Vargas Rohrmose v. Costa Rica
Doc. Type:	Decision on Precautionary Measures
Dated:	1 March 2001
Citation:	Herrera Ulloa v. Costa Rica, Case 12.367, Inter-Am. C.H.R., OEA/Ser./L/V/II.114, doc. 5 rev., Ch. III, para. 27 (2001)
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27. On March 1, 2001, during its 110th regular session, the Inter-American Commission granted precautionary measures on behalf of Mauricio Herrera Ulloa, a journalist, and Fernán Vargas Rohrmose, the legal representative of the newspaper La Nación. The measures were granted in light of information submitted by the petitioners indicating that these individuals' right to free expression required immediate protection in order to avoid irreparable harm. In their petition (processed as case 12.367) and request for precautionary measures, the petitioners claimed that the journalist Mauricio Herrera Ulloa had been convicted on criminal charges in Costa Rica for his reports in La Nación about a controversial official from that country's foreign service. The judgment ordered, inter alia, Herrera Ulloa to pay a fine; it also admitted a civil suit for damages in which Herrera Ulloa and the newspaper company La Nación S.A., represented by Fernán Vargas Rohrmose, were held jointly liable. The Commission, basing itself on a recommendation from the Special Rapporteur for Freedom of Expression, asked the State of Costa Rica to suspend execution of the sentence until the Commission could examine the case; to refrain from any act tending toward the inclusion of the journalist Herrera Ulloa in the Costa Rican Judicial Register of Criminals; and to refrain from any act or action affecting the right of free expression of the aforesaid journalist or of the newspaper La Nación. On March 21, the Costa Rican court hearing the case rejected an application for the sentence execution order to be revoked—an application that was actually grounded on the Commission's request for precautionary measures. The State's ineffectiveness in protecting the free expression of Mauricio Herrera Ulloa and Mr. Vargas Rohrmoser, together with the fact that the Costa Rican courts failed to implement the timely request for precautionary measures, forced the Commission to ask the Inter-American Court of Human Rights to adopt provisional measures.