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Institution: Inter-American Commission on Human Rights
Title/Style of Cause: Jose Francisco Gallardo Rodriguez v. Mexico
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43. Gen. José Francisco Gallardo Rodríguez, who remains in prison in Mexico in spite of the specific recommendations contained in IACHR report 43/96, was placed under precautionary measures on November 2, 2001. The gravity and urgency of this case arise from the ongoing violations and dangers faced by Gen. Gallardo in jail: the harassment he receives from the prison authorities and a series of threats and incidents involving him and his family that have never been fully cleared up. The Inter-American Commission sought measures to protect Gen. Gallardo's life, person, and liberty, along with guarantees to enable his family and representatives to visit the facility where he is being held. In its reply of November 9, 2001, the State reported that it had held a meeting with Gen. Gallardo's family and representatives, during which several matters dealing with visitor access and security measures had been agreed upon, including authorization for the members of his family to provide him with food. With respect to Gen. Gallardo's release, the State insisted that this matter was being dealt with as a part of the follow-up of IACHR report 43/96 and that the domestic mechanisms were up and running with the indirect relief proceedings initiated by the petitioners in Mexico. The Inter-American Commission determined that the precautionary measures had not been implemented and, on December 18, 2001, filed a request for provisional measures on Gen. Gallardo's behalf with the Inter-American Court of Human Rights.