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Institution: Inter-American Commission on Human Rights  
Title/Style of Cause: 11 carriers of HIV/AIDS v. Guatemala  
Doc. Type: Decision on Precautionary Measures  
Dated: 16 August 2002  
Citation: Carriers of HIV/AIDS v. Guatemala, Inter-Am. C.H.R., OEA/Ser.L/V/II.117, doc. 1 rev. 1, Ch. III, para. 58 (2002)

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58. On August 16, 2002 the Commission asked the Guatemalan state to adopt precautionary measures on behalf of 11 carriers of HIV/AIDS. The beneficiaries are identified in the file, however their identities are being kept confidential in this report. The petitioners alleged that these persons were in imminent danger because they did not have access to anti-retroviral drugs to treat this serious disease. The Commission asked the Government of Guatemala to provide the treatment and anti-retroviral drugs required for their survival, as well as medical examinations to regularly evaluate their health status. On November 14, 2002 the petitioners informed the Commission that one of the beneficiaries had died and asked it to urge the Inter-American Court of Human Rights to grant provisional measures on behalf of the beneficiaries. In a note dated November 23, 2002 the government reported that the request for measures was brought to the attention of the Minister of Public Health and Social Welfare in order to protect the life of the beneficiaries; that the Executive Director of the Foundation to Fight AIDS reported that on October 30, 2002 pharmaceutical companies were selected from whom the anti-retroviral drugs Efavirenz, Zidovudine, and Lamivudine would be purchased with government funds to treat 80 adults and 80 children; and that on November 19, 2002 the government asked the directors of Hospital San Juan de Dios and Hospital Roosevelt to provide special care in administering the treatment and the medical evaluation of the beneficiaries. The State also indicated that their outpatient clinics were providing comprehensive treatment for persons living with HIV/AIDS where the beneficiaries could receive evaluations and treatment to enhance their quality of life. The government reported that it was making efforts to implement a health policy on these cases, which it would report on in a timely manner to the IACHR. Despite the State's comments, the petitioners have informed the Commission that they have not yet received anti-retroviral drugs. The Commission has continued receiving information from the petitioners on this matter.