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Institution: Inter-American Commission on Human Rights
Title/Style of Cause: Roberto Moreno Ramos v. United States
Doc. Type: Decision on Precautionary Measures
Dated: 8 November 2002
Citation: Moreno Ramos v. United States, Inter-Am. C.H.R., OEA/Ser.L/V/II.117, doc. 1 rev. 1, Ch. III, para. 88 (2002)

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88. On November 8, 2002 the Commission authorized precautionary measures in favor of Roberto Moreno Ramos. According to the petition requesting the measures, Mr. Moreno Ramos was a Mexican national who was sentenced to death in Hidalgo County, Texas on March 23, 1993 for the February 1992 murders of his wife and two children. The petition alleged, inter alia, that the United States was responsible for violations of Mr. Moreno Ramos' rights under Articles I, II, XV, XVIII and XXV of the American Declaration because he was never informed of his rights to consular notification and access as required under Article 36(1)(b) of the Vienna Convention on Consular Relations, because Mr. Moreno Ramos' trial attorneys were incompetent to defend a capital case, and because the prosecution introduced evidence of an unadjudicated offense to secure a death sentence against Mr. Moreno Ramos. The petition also indicated that a November 12, 2002 hearing date had been established before the domestic courts to schedule Mr. Moreno Ramos' execution. In its November 8, 2002 note to the State, the Commission informed the State that if Mr. Moreno Ramos was executed before the Commission had an opportunity to examine his case, any eventual decision would be rendered moot in respect of the efficacy of potential remedies, and he would suffer irreparable damage. Consequently, the Commission requested that the United States take precautionary measures to preserve Mr. Moreno Ramos' life pending the Commission's investigation of the allegations in his petition, and asked for an urgent response to its request. In a note dated November 13, 2002 the State informed the Commission that the U.S. Mission to the OAS was coordinating with the State of Texas and the Office of the Legal Adviser in the Department of State to provide a response as soon as possible. The Commission subsequently received information that the hearing to set Mr. Moreno Ramos' execution had been postponed.