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Institution: Inter-American Commission on Human Rights  
File Number(s): Petition 194-2004  
Title/Style of Cause: Gregory Thompson v. United States  
Doc. Type: Decision on Precautionary Measures  
Dated: 31 March 2004  
Citation: Thompson v. United States, Petition 194-2004, Inter-Am. C.H.R., OEA/Ser.L/V/II.122, doc. 5 rev. 1, Ch. III, para. 46 (2004)

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46. On March 31, 2004, the Commission granted precautionary measures in favor of Gregory Thompson in the context of petition P194-2004, which alleged violations of Mr. Thompson's rights under Articles I, XVII, XVIII and XXVI of the American Declaration of the Rights and Duties of Man. The petitioners claimed that Mr. Thompson was sentenced to death in Tennessee in 1985 and they challenged his conviction and sentence before the Commission on the basis that Mr. Thompson was mentally ill and based upon alleged irregularities in his criminal proceedings. The petitioners also indicated that Mr. Thompson was scheduled to be executed on August 19, 2004. In view of these circumstances, the Commission asked the United States to take the urgent measures necessary to preserve Mr. Thompson's life pending the Commission's investigations into the allegations in his petition, on the basis that Mr. Thompson's execution would render any eventual decision by the Commission ineffective and cause him irreparable harm. On June 24, 2004, the State informed the Commission that, in its view, the Commission did not have the authority to request that the State adopt precautionary measures. On August 8, 2004 and September 15, 2004, the State and the Petitioners, respectively, informed the Commission that on June 23, 2004, the United States Court of Appeals for the Eighth Circuit had stayed Mr. Thompson's execution pending further domestic legal proceedings.