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Institution: Inter-American Commission on Human Rights  
Session: Hundred Twenty-Third Regular Session (11 – 28 October 2005)  
Title/Style of Cause: Jorge Castaneda Gutman v. Mexico  
Doc. Type: Decision on Precautionary Measures  
Dated: 17 October 2005  
Citation: Castaneda Gutman v. Mexico, Inter-Am. C.H.R., OEA/Ser.L/V/II.124, doc. 5, Ch. III, para. 32 (2005)

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32. On October 17, 2005, at its 123rd session, the IACHR granted precautionary measures on behalf of Jorge Castañeda Gutman. The information available indicates that on March 12, 2004, the Federal Electoral Institute notified Mr. Castañeda Gutman that he could not be registered as a political candidate on the basis that, according to the Mexican Constitution, “political parties have the purpose of affording [citizens] access to the exercise of public power and the Federal Code of Electoral Institutions and Procedures (COFIPE) provides that it shall fall exclusively to national political parties to request the registration of candidates for popularly elected offices.” The Inter-American Commission determined that this situation could lead to irreparable damage to the exercise of political rights and consequently asked the Mexican Government to adopt precautionary measures to allow the provisional registration of Mr. Jorge Castañeda Gutman as a candidate for the office of President of the Mexican Republic. Subsequently, on November 15, 2005, having analyzed the situation in light of the comments submitted by Mr. Castañeda Gutman, the IACHR decided to request provisional measures from the Inter-American Court of Human Rights. On November 25, 2005, the Inter-American Court concluded that it was unable to rule on the presence of a cognizable claim and consequently resolved to dismiss the request for provisional measures as inadmissible.