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Institution: Inter-American Commission on Human Rights
Title/Style of Cause: Heriberto Chi Aceituno v. United States
Doc. Type: Decision on Precautionary Measures
Dated: 28 September 2007
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50. On September 28, 2007, the Commission granted precautionary measures in favor of Honduran citizen Heriberto Chi Aceituno, who is deprived of liberty at a detention center in the state of Texas, awaiting implementation of the death penalty. The request for precautionary measures was presented in the context of a petition on the alleged violation of the rights enshrined in Articles I, XXVI, and XVIII of the American Declaration, which is being processed before the Commission. The petition alleges, inter alia, violations of due process, in particular, that Mr. Chi Aceituno was not informed of the right to consular assistance throughout the proceeding that culminated in his being sentenced to death. The Commission asked the United States to adopt the measures necessary for preserving the life and physical integrity of the beneficiary, so as not to impede the processing of his claim before the inter-American system. The Commission has taken note that the execution of the death penalty, set for October 3, 2007, was suspended by a resolution of the Texas Court of Criminal Appeals, considering that another case raising the constitutionality of lethal injection is pending before the United States Supreme Court. The Commission continues to monitor the beneficiary's situation.