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Institution: Inter-American Commission on Human Rights
File Number(s): Petition 492/08; PM 102/08
Title/Style of Cause: Rafael Rodriguez Castaneda v. Mexico
Doc. Type: Decision on Precautionary Measures
Dated: 3 July 2008
Citation: Rodriguez Castaneda v. Mexico, Petition 492/08, PM 102/08, Inter-Am. C.H.R., OEA/Ser.L/V/II.134, doc. 5 rev. 1, Ch. III, para. 31 (2008)

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31. On July 3, 2008, the IACHR granted a request for precautionary measures to preserve journalist Rafael Rodríguez Castañeda's right to access information. The request seeking precautionary measures is associated with petition P492/08 which alleges, inter alia, that the courts' refusal to provide access to leftover ballots, unused ballots, ballots declared to be valid and those nullified in the election held on July 2, 2006, before those ballots were destroyed, is a violation of Article 13 of the American Convention. The Commission asked the Mexican state to suspend plans to destroy the ballots until it is able to rule on the merits of the petition filed by Rafael Rodríguez Castañeda. The granting of precautionary measures does not imply any prejudgment on the merits of the complaint. The Commission continues to monitor the situation.