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Institution: Inter-American Court of Human Rights
Title/Style of Cause: Jorge Carpio Nicolle v. Guatemala
Doc. Type: Order of the Court
Decided by: President: Hector Fix-Zamudio;
Judges: Alejandro Montiel-Arguello; Oliver Jackman; Alirio Abreu-Burelli;
Antonio A. Cancado Trindade
Dated: 10 September 1996
Citation: Carpio Nicolle v. Guatemala, Order of the Court (IACtHR, 10 Sep. 1996)
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HAVING SEEN:

1. The Order of the Inter-American Court of Human Rights (hereinafter “the Court” or “the Inter-American Court”) of February 1, 1996 in which it decided “[t]o extend until September 20, 1996, the provisional measures ordered in the September 19, 1995, Order of the Court.”
2. The reports of the Government of the Republic of Guatemala (hereinafter “Guatemala” or “the Government”) received by the Court on February 23, March 5, April 12, May 10, June 13, July 9, and August 22, 1996.
3. The briefs, received by the Court on March 14, May 2, May 24, June 28, August 1, and September 7, 1996, containing the comments of the Inter-American Commission on Human Rights (hereinafter “the Commission” or “the Inter-American Commission”) on the Government's reports.

CONSIDERING:

1. That in its Order of February 1, 1996 the Court decided to extend until September 20, 1996 the provisional measures ordered in the instant case.
2. That the Government has not to date taken measures to comply with the request of the Inter-American Court, as shown in the reports duly presented.
3. That the Commission, for its part, has regularly submitted its comments on the Government's briefs and has also reported on the status of the provisional measures ordered.
4. That, in the light of the Inter-American Commission's claims that some of the persons on whose behalf those provisional measures were ordered have been subjected to intimidation and threats, the Court feels continued concern for the prevention of the irreparable damage caused by the alleged violation of human rights recognized in the American Convention.

5. That the Government is to report every two months on the provisional measures ordered in this case, and that the Inter-American Commission is to submit its comments on that information to the Court not later than one month from the date of its receipt.

NOW, THEREFORE:

THE INTER-AMERICAN COURT OF HUMAN RIGHTS,

pursuant to Article 63(2) of the American Convention on Human Rights,

DECIDES:

1. To take note of the measures adopted by the Government of the Republic of Guatemala to comply with the Order of February 1, 1996.
2. To maintain the provisional measures set forth in the Order of September 19, 1995 and extended by the Order of February 1, 1996.
3. To call upon the Government of Guatemala to report to the Court every two months from the date of notification of this Order on the measures it has taken in this case, and upon the Inter-American Commission on Human Rights to submit its comments on that information to the Court not later than one month from the date of its receipt.

Héctor Fix-Zamudio
President

Hernán Salgado-Pesantes
Alejandro Montiel-Argüello
Oliver Jackman
Alirio Abreu-Burelli
Antônio A. Cançado Trindade

Manuel E. Ventura-Robles
Secretary

So ordered,

Héctor Fix-Zamudio
President

Manuel E. Ventura-Robles
Secretary