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Institution:	Inter-American Court of Human Rights
Title/Style of Cause:	Jose Daniel Alvarez, Nidia Linores Ascanio, Gladys Lopez, Yanette Bautista, Maria Helena Saldarriaga, Piedad Martin, Maria Eugenia Lopez, Adriana Diosa, Astrid Manrique, Faride Ascanio, Carmen Barrera, Evidalia Chacon, Jose Publio Bautista, Nelly Maria Ascanio, Ayda Mile Ascanio, Miriam Rosas Ascanio and Javier Alvarez v. Colombia
Doc. Type:	Order
Decided by:	President: Hernan Salgado-Pesantes Vice President: Judges:
Dated:	12 May 1998
Citation:	Daniel Alvarez v. Colombia, Order (IACtHR, 12 May 1998)
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HAVING SEEN:

1. The order of the Inter-American Court of Human Rights (hereinafter “the Court”) of November 11, 1997, in which it decided

[...]

2. To require the State of Colombia to maintain the necessary measures for a period of six months from the date of this order, so as to protect the lives and physical integrity of José Daniel Álvarez, Nidia Linores Ascanio, Gladys López, Yanette Bautista, María Helena Saldarriaga, Piedad Martín, María Eugenia López, Adriana Diosa, Astrid Manrique, Faride Ascanio, Carmen Barrera, Evidalia Chacón, José Publio Bautista, Nelly María Ascanio, Ayda Mile Ascanio, Miriam Rosas Ascanio and Javier Álvarez and to avoid irreparable damage to them. Once the term has expired, the Court shall assess the situation of the protected persons.

3. To require that the State of Colombia adopt such measures as may be necessary to protect the life and physical integrity of Erik Antonio Arellano Bautista as soon as he returns to his territory.

4. To require that the State of Colombia investigate the events denounced and punish those responsible for them, especially with regard to the attack of June 24, 1997, on the offices of the Association of Relatives of Detained and Disappeared Persons of Colombia (ASFADDES), in Medellín.

5. To require that the State of Colombia maintain the measures necessary to ensure that all the offices of the Association of Relatives of Detained and Disappeared Persons of Colombia (ASFADDES) can discharge their functions without danger to the lives or physical integrity of the persons working there, especially in the Association’s offices in Medellín and Ocaña.

2. The order of the Court of January 21, 1998, in which it ratified the order of the President of December 22, 1997, calling upon the State of Colombia (hereinafter “the State”) to expand the measures in this case in order to ensure the right to life and physical integrity of María Eugenia Cardenas and her next of kin and investigate and punish those responsible for the facts denounced by the Inter-American Commission on Human Rights (hereinafter “the Commission”) in its brief of December 17, 1997.

3. The Court’s work agenda, in which it decided to hold its XL Regular Session from June 8 to 19, 1998.

4. The fourth report of the State on the measures adopted in this case and additional information, received by the Secretariat of the Court on March 23 and April 16, 1998, respectively, and the observations that the Commission made on this report on April 27 that year.

CONSIDERING:

1. That Colombia is a State Party to the American Convention on Human Rights, Article 1.1 of which establishes the obligation of the States Parties to respect the rights and freedoms recognized therein and to ensure their free and full exercise to all persons subject to their jurisdiction, and that this State recognized the jurisdiction of this Court on June 21, 1985, in accordance with Article 62 of the Convention.

2. That, in order to ensure compliance with the rulings of the Court in its order of November 11, 1997, the State must maintain the measures that it adopted in this case until the XL Regular Session of the Court, since only then will the Court have the opportunity to consider their pertinence and assess the situation of the protected persons.

3. That, in order for the Court to assess the measures adopted in this case, it must call upon the State of Colombia to include all the most recent information that it considers relevant, including its opinion on the need to maintain the said measures, in its fifth report on these measures, which should be presented on May 22, 1998.

4. That, also to ensure that the Court has all the facts necessary to consider this matter, it must call upon the Commission to present its observations on the State’s fifth report and its opinion on whether the measures adopted should be maintained, within a special period, which must expire before the XL Regular Session of the Court.

THEREFORE:

THE PRESIDENT OF THE INTER-AMERICAN COURT OF HUMAN RIGHTS,

pursuant to Article 63.2 of the American Convention on Human Rights and in exercise of the powers conferred on him by Article 25.4 of the Rules of Procedure,

DECIDES:

1. To call upon the State of Colombia to maintain until June 19, 1998, the measures adopted in compliance with the orders of the Inter-American Court of Human Rights of November 11, 1997, and January 21, 1998.

2. To call upon the State of Colombia to include in its fifth report, which should be presented to the Secretariat of the Court on May 22, 1998, all relevant information on the measures adopted in the instant case, including its opinion on the pertinence of maintaining them in effect.

3. To call upon the Inter-American Commission on Human Rights to present its observations on the fifth report of the State of Colombia and its opinion on the pertinence of maintaining the measures in the present case in effect, by June 5, 1998, at the latest.

4. To instruct the Secretariat of the Court to include consideration of this matter in the Court's agenda of work.

Hernán Salgado-Pesantes
President

Manuel E. Ventura-Robles
Secretary

So ordered,

Hernán Salgado-Pesantes
President

Manuel E. Ventura-Robles
Secretary