

**ORDER OF THE
INTER-AMERICAN COURT OF HUMAN RIGHTS*
OF JULY 4, 2006**

**REQUEST FOR PROVISIONAL MEASURES SUBMITTED BY THE
INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
REGARDING THE REPUBLIC OF GUATEMALA**

**MATTER OF THE GUATEMALAN FORENSIC
ANTHROPOLOGY FOUNDATION**

HAVING SEEN:

1. The brief of April 10, 2006, and its attachments in which the Inter-American Commission on Human Rights (hereinafter "the Inter-American Commission" or "the Commission") submitted to the Inter-American Court of Human Rights (hereinafter "the Court"), pursuant to Articles 63(2) of the American Convention on Human Rights (hereinafter "the Convention" or "the American Convention") and 25 of the Rules of Procedure of the Court (hereinafter "the Rules of Procedure"), a request for provisional measures for the State of Guatemala (hereinafter "the State" or "Guatemala") to adopt the necessary measures to protect the life and personal integrity of the members of the Guatemalan Forensic Anthropology Foundation (hereinafter "the Foundation" or "FAFG") and the next of kin of its Executive Director, Fredy Armando Peccerelli Monterroso.
2. The alleged facts on which the request for provisional measures submitted by the Commission is founded:
 - a) FAFG is a non-profit, non-governmental scientific organization that conducts objective and impartial forensic anthropological investigations into suspicious deaths (individual or mass), using physical and social anthropology and archeology. Currently, 61 persons work at the Foundation;
 - b) One of the purposes of this organization is to help the communities and the families of victims recover the remains of their next of kin so that they can give them a "legal burial, according to their customs and, at the same time, to reduce the number of clandestine cemeteries where the bodies of the victims of the armed internal conflict that took place from 1962 to 1996 are interred";
 - c) To date, FAFG has conducted more than 340 forensic anthropological investigations in clandestine cemeteries in Guatemala. In addition, the Foundation is an "expert recognized by the Attorney General's Office [*Ministerio Público*] providing expert reports on exhumation results and forensic analyses, contributing to the investigations into those responsible for these violent acts." It has also collaborated in more than 20 international missions on forensic anthropological investigations in countries such as Bosnia, Kosovo, the Congo and Honduras;

* Judge Oliver Jackman informed the Court that, for reasons beyond his control, he could not attend the deliberation of this Order.

- d) During 2006, FAFG "planned to conduct approximately 150 exhumations in the departments of Quiché, Chimaltenango, Huehuetenango, Suchitepéquez, and Alta and Baja Verapaz";
- e) Since 1996, acts of intimidation have been perpetrated against the forensic anthropologists who work on exhumations in clandestine cemeteries in Guatemala;
- f) The threats and intimidation of members of FAFG have worsened since 2002;
- g) On March 8, 2002, the Commission ordered precautionary measures in favor of officials of the Foundation; these measures have been expanded at different times and are recorded by the Commission in file No. 01/02;
- h) The officials who are currently working at FAFG are: Fredy Armando Peccerelli Monterroso (Executive Director), Adriana Gabriela Santos Bremme, Alan Gabriel Robinsón Cañedo, Alma Nydia Vásquez Almazán, Álvaro Luis Jacobo González, Ana Dolores Arriola Carrillo, Beatriz Díaz Arreaga, Blanca Noemí Barcenás Albizurez, Byron Estuardo García Méndez, Carlos Rene Jacinto, Claudia Eugenia Rivera Fernández, Dania Marianela Rodríguez Martínez, Danny A. Guzmán Castellanos, Dominga Alejandra Varel Sequeira, Edgar Herlindo Hernández Sánchez, Edwin Giovanni Peruch Conòs, Elder Rodolfo Urbina Urizar, Erick Oswaldo Duque Hernández, Estuardo Guevara, Fernando Arturo López Antillon, Flavio Abel Montufar Dardon, Fredy Arnoldo Cumes Erazo, Gillian Margater Fowler, Gladis Amparo Martínez Ruiz, Guillermo E. Vásquez Escobar, Gustavo Cosme Godínez, Heidy Hirua Quezada Arriaga, Irma Yolanda Morales Bucu, Jaime Enrique Ruiz Castellanos, Jessika Marisela Osorio Galindo, Jorge Luis Romero de Paz, José Fernando Alonzo Martínez, José Samuel Suasnavar Bolaños, Juan Carlos Gatica Pérez, Juan Carlos Patzán Morales, Juan Ramón Donado Vivar, Katia Victoria Orantes Poza, Leonel Estuardo Paiz Diez, Liesl Marie Cohn de León, Lourdes Lorena Herrera Sipaque, Lourdes Sofía Chew Pazos, Manuel Antonio Meneses Ruiz, Marco Tulio Pérez Tánchez, María Raquel Doradea, Mario Bernabé Ramírez Alarcón, Mario Nájera, Mynor Adán Silvestre Aroche, Mynor Alexander Urizar Chavarría, Myrna Graciela Díaz Gularte, Nancy Yadira Valdez Vielman, Omar Bertoni Girón de León, Oscar Ariel Ixpatá, Oswaldo Alexander García Pérez, Ramiro Edmundo Martínez Lemus, Raúl H. Archila García, Reina Patricia Ixcot Chávez, Renaldo Leonel Acevedo Álvarez, Sergio Oswaldo García López, Shirley Carola Chacón, Silvia Beatriz Pellecer Montiel and Tomasa Cifuentes Cifuentes;
- i) The next of kin of the Foundation's Executive Director are: Jeannette Peccerelli, wife; Ashley Corienne Peccerelli del Valle, daughter; Tristán Collin Peccerelli del Valle, son; Fredy Armando Peccerelli Tenas, father; María del Carmen Monterroso de Peccerelli, mother; Bianka Irina Peccerelli de Girón, sister; Omar Bertoni Girón de León, brother-in-law (who also appears as a member of the Guatemalan Forensic Anthropology Foundation); Gianni Paolo Peccerelli Monterroso, brother, and Luisa Fernanda Martínez de Peccerelli, sister-in-law;
- j) Even though the above-mentioned precautionary measures are in force, threatening acts against the Executive Director of FAFG and his next of kin "have continued and have got worse";
- k) The agents assigned to protect the beneficiaries of the precautionary measures are inadequately trained and lack the appropriate equipment to carry out their functions;
- l) The investigations to determine the person or persons responsible for the threats against the members of FAFG, which have gone on for more than 10 years, have not produced any results to date; and
- m) As a result of the inefficiency of the investigations, the threats and intimidation against the beneficiaries of the precautionary measures and some of their next of kin have continued and increased in intensity.

3. The arguments of the Commission to justify their request for provisional measures, in which they indicate that:

- a) The gravity of the threats against operators and assistants of justice in Guatemala is underscored by well-known public facts;
- b) The threats against the members of FAFG "share very serious characteristics: they announce acts against life and personal integrity and their content leads to the conclusion that the authors are aware of the movements and circumstances of the officials and have access to them, despite the protection schemes implemented by the State";
- c) The measures adopted by the State have been insufficient to protect the life of the beneficiaries;
- d) There is a "pattern of exacerbation of the threats, and the access their authors have to make them against the FAFG officials";

- e) The threats against the members of the Foundation and their next of kin "usually escalate when their technical work intensifies";
- f) "From January 2006 to date, Mr. Peccerelli has received three serious threats[. C]onsidering the FAFG work plan for 2006, it can easily be deduced that the situation could get even worse";
- g) Given the characteristics of travel within the State, there is an evident risk of actions against the members of the Foundation during their displacements, and this must be eliminated; and
- h) In contexts of aggression and acts of systematic harassment, an efficient and effective investigation is an essential instrument to ensure the identification and elimination of the possible danger to those affected.

4. The request of the Inter-American Commission for the Court, based on Article 63(2) of the American Convention, to require the State:

- a) To adopt, forthwith, all necessary measures to safeguard the life and personal integrity of the beneficiaries in keeping with the requirements and means described in the request;
- b) To conduct genuine, complete and prompt investigations into the acts of intimidation against the members of FAFG and their next of kin; to individualize those responsible and impose the corresponding sanctions, as a prevention mechanism to avoid a repetition of the threats or the occurrence of irreparable damage to the beneficiaries; and
- c) To report as soon as possible on progress in and the results of the investigations undertaken to identify and punish those responsible for the facts that gave rise to the request.

5. The note of the President of the Court (hereinafter "the President") of April 10, 2006, in which, in consultation with all the members of the Court, he granted the State until April 17, 2006, to submit its *supra* observations on the request for provisional measures lodged by the Commission (*supra* Having seen paragraph 1).

6. The brief of April 17, 2006, in which the State presented the observations requested by the President of the Court. In this brief, the State indicated that "as a member of the American Convention on Human Rights, it had complied with and would comply with the precautionary measures in favor of the anthropologist, Freddy [*sic*] Peccerelli, his family, and the other members of the Foundation, in order to safeguard their right to life and personal integrity and other universal freedoms." In addition, it advised that "it ha[d] requested the Attorney General's Office to take the necessary measures and steps" to protect the life and integrity of the persons in favor of whom the provisional measures were requested.

7. The Order of the President of April 21, 2006, in which he decided:

- 1) To require the State to maintain the measures that it had reported had already been adopted, and also to adopt, forthwith, any complementary measures necessary to protect the life and integrity [...] of the [...] persons [mentioned in the request for provisional measures (*supra* Having seen paragraph 2(h) and (i))] and, to this end, it should take into account the gravity of the situation and the specific circumstances of the danger[.]
- 2) To require the State to investigate the facts that justified the adoption of [the] urgent measures and, if applicable, identify those responsible and impose the corresponding sanctions.
- 3) To require the State to take all pertinent measures to ensure that the measures of protection decided in the [...] Order are planned and implemented with the participation of the beneficiaries or their representatives, so that the said measures are provided diligently and effectively and, in general, to maintain them informed about progress in the implementation of the measures.

- 4) To require the State to inform the Inter-American Court of Human Rights within ten days of notification of the [...] Order about the measures adopted to comply with it.
- 5) To request the beneficiaries of these measures or their representatives to submit any observations they deem pertinent to the Inter-American Court of Human Rights within five days of notification of the State's report.
- 6) To request the Inter-American Commission on Human Rights to submit any observations it deems pertinent to the Inter-American Court of Human Rights within seven days of notification of the State's report.
- 7) To request the State, following the report indicated in the fourth operative paragraph, to continue reporting to the Inter-American Court of Human Rights every two months on the provisional measures adopted, and to request the beneficiaries of [the] measures or their representatives, and the Inter-American Commission on Human Rights, to submit their observations within four and six weeks, respectively, of notification of the State's reports.

[...]

8. The notes of the Secretariat of April 24, 2006, in which it notified the Order of the President of the Court of April 21, 2006, to the State, the Commission, and the representatives of the beneficiaries (hereinafter "the representatives").

9. The State's brief of May 24, 2006, in which Guatemala indicated, *inter alia*, that;

- a) The precautionary measures requested by the Inter-American Commission in this case had been implemented since March 2002;
- b) The Presidential Human Rights Commission (hereinafter "COPREDEH") had been working with the *Comité de Impulso* composed of the Attorney General's Office, the Ministry of Governance, COPREDEH and the Ministry of Foreign Affairs to monitor and comply with the Commission and the Court's recommendations and their requirements of the State of Guatemala;
- c) On April 28, 2006, the State, through the Ministry of Governance and COPREDEH, had made commitments regarding the requirements of Fredy Armando Peccerelli Monterroso and the Foundation;
- d) On May 19, 2006, the Ministry of Governance had ensured the beneficiaries that it would:
 - i) Appoint a member of the National Civil Police (PNC) to be in charge of all matters relating to the safety of FAFG;
 - ii) Inform FAFG of any change or transfer of the agents of the Civil National Police assigned to it;
 - iii) Issue the agents assigned to provide security to Fredy Peccerelli and his next of kin with "a General Services order," signed by the PNC Director General, in order to identify them as members of the security forces and also as agents assigned by the State to provide personal security to the beneficiaries;
 - iv) Instruct only one unit of the National Civil Police to appoint and monitor the agents responsible for the security of the beneficiaries; and
 - v) Establish coordination with all the sub-stations and departmental police stations to assign uniformed agents permanently to the places where exhumations are being conducted;
- e) Regarding the commitments assumed through COPREDEH, these are:
 - i) To reach an agreement with the Secretariat of Administrative Matters and Security (hereinafter "SAAS") concerning the security of the children of the Executive Director of the Foundation;
 - ii) To reach an agreement with SAAS concerning training in "executive security" for the agents responsible for the security of the beneficiaries. In this regard, on May 19, 2006, COPREDEH requested SAAS to provide personal security and was awaiting a reply from the Secretariat;
 - iii) To request the Prosecutor General's Office and the Attorney General to combine all the documents related to the investigation in one file and to provide a report on the actual status of the investigations; and

- iv) That a Special Prosecutor be assigned to the investigation in this case and that he be able to coordinate with all the PNC agents assigned to security, so that they report directly to him anything they have observed during their turns that might be useful to the investigation;
- f) The State is aware that the reported facts have still not been clarified by the criminal prosecution body, so that it is necessary to implement an efficient coordination of the measures of protection or develop protection schemes adapted to the needs of the beneficiaries as soon as possible;
- g) The commitments made within the international framework of the protection of the human rights of the beneficiaries have been complied with insofar as possible by the institutions legally established to this end; and
- h) These efforts "are insufficient to avoid and/or counteract the illegal acts committed against the Peccerelli Monterroso family and the other members of the Guatemalan Forensic Anthropology Foundation."

10. The communication of the representatives of June 2, 2006, in which they submitted comments on the State's report of May 24, 2006 (*supra* Having seen paragraph 9), and indicated, *inter alia*, that:

- a) On April 28, 2006, a document was handed to COPREDEH members with the minimum requirements concerning the implementation of the provisional measures that had been granted, in relation to the investigation of the case and the security of FAFG, "petitions tending principally to improve the security and investigation aspects";
- b) On May 18, 2006, they had met with representatives of the Ministry of Governance, COPREDEH, FAFG and CALDH, "a meeting during which undertakings were obtained [...] that have already been highlighted in the State's report" (*supra* Having seen paragraph 9(d));
- c) It recognized the efforts made by the State to comply with improving the security of the petitioners;
- d) No progress had been made on aspects relating to conducting an efficient, effective and complete investigation, following four years of constant denunciations;
- e) Until there is a genuine and efficient investigation into the facts that threaten the life of the petitioners, these acts will continue, so the petitioners continue to be in imminent danger;
- f) The petitions handed to the State are not an attempt to hinder the work of the authorities in charge of the investigation; rather, they are intended to make a contribution to the satisfactory operation and strengthening of the justice mechanisms; and
- g) The intention is not that the petitioners should live under constant surveillance and protection, since this would restrict their freedom of expression and movement; consequently, it is necessary to emphasize the need for a clear investigation strategy that permits progress to be made towards the identification of those responsible, on whom the corresponding sanctions should be imposed.

11. The communication of the Commission of June 5, 2006, in which it indicated, *inter alia*, that:

- a) It was pleased to note that, from the State's report and the respective observations of the beneficiaries, it can be inferred that there has been coordination and dialogue in the design and initial implementation of additional measures;
- b) The State's report included a list of actions that would be adopted in the near future, but showed that many of them have not yet been adopted;
- c) The investigation into the facts is extremely important, because it has been the inadequacy of the investigations that have perpetuated the threats and acts against the beneficiaries;
- d) The State should present concrete and specific information that will allow it to be determined whether there has been any progress in the investigation and whether this has been executed with the required thoroughness, as well as the participation of the beneficiaries;
- e) The initial actions adopted by the State constitute an adequate plan of action to ensure efficiency in the investigation; and
- f) It is pertinent to maintain the provisional measures adopted by the Court in this matter and the commitments obtained must be monitored.

CONSIDERING:

1. That Guatemala has been a State Party to the American Convention since May 25, 1978, and accepted the compulsory jurisdiction of the Court on March 9, 1987.
2. That Article 63(2) of the Convention establishes that "in cases of extreme gravity and urgency, and when necessary to avoid irreparable damage to persons," at the request of the Commission, the Court may adopt such provisional measures as it deems pertinent, in matters that are not yet submitted to its consideration
3. That, in this regard, Article 25 of the Rules of Procedure establishes that:
 - [...]
 2. With respect to matters not yet submitted to it, the Court may act at the request of the Commission.
 - [...]
 6. The beneficiaries of urgent measures or provisional measures ordered by the President may address their comments on the report made by the State directly to the Court. The Inter-American Commission of Human Rights shall present observations to the State's report and to the observations of the beneficiaries or their representatives
4. That Article 1(1) of the Convention embodies the general obligation of the States Parties to respect the rights and freedoms recognized therein and to ensure to all persons subject to their jurisdiction the free and full exercise of those rights and freedoms.
5. That, under international human rights law, in addition to their preventive nature in that they preserve a juridical situation, the purpose of provisional measures is essentially preventive, since they protect human rights, inasmuch as they seek to avoid irreparable damage to persons. Provided the basic requirements of extreme gravity and urgency and the prevention of irreparable damage to persons are met, provisional measures become a real jurisdictional guarantee of a preventive nature.¹
6. That, the merits of the case that gave rise to these provisional measures are not being considered by the Court and that the adoption of provisional measures does not imply a decision on the merits of the dispute that exists between the petitioners and the State. By adopting provisional measures, the Court is merely exercising its mandate under the Convention in cases of extreme gravity and urgency that require measures of protection to avoid irreparable damage to persons.²

¹ Cf. *the case of the Mendoza Prisons*. Provisional Measures. Order of the Inter-American Court of Human Rights of March 30, 2006, fourth considering paragraph; *the case of Capital Region Yare I and Yare II Penitentiary Center*. Provisional Measures. Order of the Inter-American Court of Human Rights of March 30, 2006, fifth considering paragraph; and *the case of Haitians and Dominicans of Haitian Origin in the Dominican Republic*. Provisional Measures. Order of the Inter-American Court of Human Rights of February 2, 2006, fifth considering paragraph.

² Cf. *the case of the Mendoza Prisons*. Provisional Measures, *supra* note 1, fifth considering paragraph; *the case of the Capital Region Yare I and Yare II Penitentiary Center*. Provisional Measures, *supra* note 1, seventh considering paragraph; and *the case of Haitians and Dominicans of Haitian Origin in the Dominican Republic*. Provisional Measures, *supra* note 1, sixth considering paragraph.

7. That provisional measures are of an exceptional nature; they are ordered in function of the needs for protection and, once ordered must be maintained, provided the Court considers that the basic requirements of extreme gravity and urgency and the prevention of irreparable damage to the rights of the persons protected by them subsist.³

8. That the provision established in Article 63(2) of the Convention makes it obligatory for the State to adopt the provisional measures ordered by the Court, because, according to the basic principle of the law on the State's international responsibility, supported by international case law, the States must comply with their treaty-based obligations in good faith (*pacta sunt servanda*).⁴

*
* *

9. That, from the information presented by the State, the Commission and the representatives, it is clear that a situation of extreme gravity and urgency and of possible irreparable damage to the right to life and integrity of the beneficiaries of the urgent measures ordered by the President persists (*supra* Having seen paragraph 7). In particular, it is worth emphasizing that, while the precautionary measures ordered by the Commission were in force, Freddy Peccerelli, his family, and FAFG officials have received death threats, including three threats so far this year (*supra* Having seen paragraphs 2(j) and (m), and 3(d) and (f)), all related to the Foundation's work concerning the identification and recovery of human remains.

10. That, to date, the investigations to determine the person or persons responsible for the threats against members of FAFG have not produced any results (*supra* Having seen paragraph 2(l)).

11. That the State has indicated that it is aware that the facts denounced have not yet been clarified by the criminal prosecution body (*supra* Having seen paragraph 9(f)). In addition, it stressed that the efforts made to date were "insufficient to avoid and/or counteract the illegal acts committed against the Peccerelli Monterroso family and the other members of the Guatemalan Forensic Anthropology Foundation" (*supra* Having seen paragraph 9(h)).

12. That the State has the specific obligation to protect those persons who work in non-governmental organizations, as well as other groups or individuals who work in favor of the defense of human rights, since their work makes a positive and complementary contribution to the efforts of the State in its capacity as guarantor of the right of all persons under its jurisdiction.⁵

³ Cf. *the case of Ramírez Hinojosa et al.* Provisional Measures. Order of the Inter-American Court of Human Rights of March 30, 2006, seventh considering paragraph.

⁴ Cf. *the case of the Mendoza Prisons.* Provisional Measures, *supra* note 1, tenth considering paragraph; *the case of the Jiguamiandó and Curbaradó Communities.* Provisional Measures. Order of the Inter-American Court of Human Rights of February 2, 2006, seventh considering paragraph; and *the case of Haitians and Dominicans of Haitian Origin in the Dominican Republic case.* Provisional Measures, *supra* note 1, eighth considering paragraph.

⁵ Cf. *the case of the Monagas Judicial Detention Center "La Pica".* Provisional Measures. Order of the Inter-American Court of Human Rights of February 9, 2006, fourteenth considering paragraph.

13. That the State should use all possible means to avoid irreparable damage to the members of FAFG. In this regard, the Court considers that the right to life and the right to personal integrity “imply not only that the State must respect them (negative obligation), but also that the State must adopt all appropriate measures to guarantee them (positive obligation) in accordance with its general obligation established in Article 1(1) of the American Convention.”⁶

14. That the positive coordination of the State and the representatives in the implementation of the measures of protection in this case constitutes important progress in the development of the process and in the exercise of the principles that inspire the American Convention (*supra* Having seen paragraph 11(a) and (e)).

15. That the background information provided by the parties (*supra* ninth considering paragraph) concerning the acts that the members of FAFG have experienced, reveals *prima facie* a situation of extreme gravity and urgency regarding the right to life and personal integrity of its members, as well as of its Director’s next of kin.

16. That the standard for the *prima facie* assessment of a case and the application of presumptions in the face of the need for protection have led the Court to order provisional measures on different occasions. Consequently, the Court considers it necessary to protect these persons with provisional measures in light of the provisions of the American Convention.

THEREFORE:

THE INTER-AMERICAN COURT OF HUMAN RIGHTS,

pursuant to the authority conferred by Article 63(2) of the American Convention on Human Rights and Article 25 of its Rules of Procedure,

DECIDES:

1. To ratify all the terms of the Order of the President of the Inter-American Court of Human Rights of April 21, 2006, and, consequently, to require the State of Guatemala to maintain the measures it has adopted and to adopt, forthwith, all necessary measures to protect the rights to life and personal integrity of the following persons, and to this end, it must take into account the gravity of the situation and the specific circumstances of the danger: Fredy Armando Peccerelli Monterroso, Adriana Gabriela Santos Bremme, Alan Gabriel Robinsón Cañedo, Alma Nydia Vásquez Almazán, Álvaro Luis Jacobo González, Ana Dolores Arriola Carrillo, Beatriz Díaz Arreaga, Blanca Noemí Barcenás Albizurez, Byron Estuardo García Méndez, Carlos Rene Jacinto, Claudia Eugenia Rivera Fernández, Dania Marianela

⁶ Cf. *the case of the Capital Region Yare I and Yare II Penitentiary Center*. Provisional Measures, *supra* note 1, sixteenth considering paragraph; *the the case of Monagas Judicial Detention Center “La Pica”*. Provisional Measures, *supra* note 5, eighteenth considering paragraph; and *the case of the Children and Adolescents deprived of liberty in the FEBEM “Tatuapé Complex.”* Provisional Measures. Order of the Inter-American Court of Human Rights of November 30, 2005, fifteenth considering paragraph.

Rodríguez Martínez, Danny A. Guzmán Castellanos, Dominga Alejandra Varel Sequeira, Edgar Herlindo Hernández Sánchez, Edwin Giovanni Peruch Conòs, Elder Rodolfo Urbina Urizar, Erick Oswaldo Duque Hernández, Estuardo Guevara, Fernando Arturo López Antillon, Flavio Abel Montufar Dardon, Fredy Arnoldo Cumes Erazo, Gillian Margater Fowler, Gladis Amparo Martinez Ruiz, Guillermo E. Vásquez Escobar, Gustavo Cosme Godinez, Heidy Hirua Quezada Arriaga, Irma Yolanda Morales Bucu, Jaime Enrique Ruiz Castellanos, Jessika Marisela Osorio Galindo, Jorge Luis Romero de Paz, José Fernando Alonzo Martínez, José Samuel Suasnavar Bolaños, Juan Carlos Gatica Pérez, Juan Carlos Patzán Morales , Juan Ramón Donado Vivar, Katia Victoria Orantes Poza, Leonel Estuardo Paiz Diez, Liesl Marie Cohn de León , Lourdes Lorena Herrera Sipaque , Lourdes Sofía Chew Pazos, Manuel Antonio Meneses Ruiz, Marco Tulio Pérez Tánchez, María Raquel Doradea, Mario Bernabé Ramírez Alarcón, Mario Nájera, Mynor Adán Silvestre Aroche, Mynor Alexander Urizar Chavarría, Myrna Graciela Díaz Gularte, Nancy Yadira Valdez Vielman, Omar Bertoni Girón de León, Oscar Ariel Ixpatá, Oswaldo Alexander García Pérez, Ramiro Edmundo Martínez Lemus, Raúl H. Archila García, Reina Patricia Ixcot Chávez, Renaldo Leonel Acevedo Álvarez, Sergio Oswaldo García López, Shirley Carola Chacón, Silvia Beatriz Pellecer Montiel and Tomasa Cifuentes Cifuentes; Jeannette Peccerelli, Ashley Corienne Peccerelli del Valle; Tristán Collin Peccerelli del Valle; Fredy Armando Peccerelli Tenas; María del Carmen Monterroso de Peccerelli; Bianka Irina Peccerelli de Girón; Gianni Paolo Peccerelli Monterroso and Luisa Fernanda Martínez de Peccerelli.

2. To require the State to investigate the facts that gave rise to the adoption of these provisional measures and, if applicable, identify those responsible and impose the corresponding sanctions.

3. To require the State to take the necessary steps to ensure that the measures of protection decreed in this Order are planned and implemented with the participation of the beneficiaries or their representatives, so that the said measures are provided diligently and effectively and, in general, to keep them informed of progress in the implementation of the measures.

4. To request the State to continue informing the Inter-American Court of Human Rights about the provisional measures adopted every two months following the presentation of the first report requested in the Order of the President of April 21, 2006, and to request the representatives of the beneficiaries of these measures and the Inter-American Commission on Human Rights to present their observations within four and six weeks, respectively, of notification of the State's reports.

5. To request the Secretariat to notify this Order to the State, the Inter-American Commission on Human Rights, and the representatives of the beneficiaries of the measures.

Sergio García Ramírez
President

Alirio Abreu Burelli

Antônio A. Cançado Trindade

Cecilia Medina Quiroga

Manuel E. Ventura Robles

Diego García-Sayán

Pablo Saavedra Alessandri
Secretary

So ordered,

Sergio García Ramírez
President

Pablo Saavedra Alessandri
Secretary