

**ORDER OF THE
INTER-AMERICAN COURT OF HUMAN RIGHTS*
OF SEPTEMBER 22, 2006**

**PROVISIONAL MEASURES ORDERED BY THE
INTER-AMERICAN COURT OF HUMAN RIGHTS
REGARDING THE BOLIVARIAN REPUBLIC OF VENEZUELA**

CASE OF CARLOS NIETO-PALMA *ET AL*

HAVING SEEN clause:

1. The Order of the Inter-American Court of Human Rights (hereinafter "the Inter-American Court" or "the Court") of July 9, 2004, whereby it decided:

1. To request the State to adopt forthwith such measures as may be necessary to safeguard and protect the life, physical integrity, and personal liberty of Carlos Nieto-Palma, as well as the lives and physical integrity of his next of kin, particularly of his nephew John Carmelo Laicono-Nieto.

2. To request the Inter-American Commission on Human Rights to submit to the Court, within seven days of the date of service of the [...] Order, a list with the names of his next of kin in whose behalf the State must adopt such protection measures.

3. To request the State to conduct an investigation into the facts which gave rise to the adoption of these provisional measures, in order to identify those responsible and impose the prescribed sanctions thereon.

4. To request the State to allow the beneficiaries of these measures to take part in the planning and implementation thereof and, in general, to keep them informed about the progress regarding the compliance with the measures ordered by the Inter-American Court of Human Rights.

5. To request the State to inform the Inter-American Court of Human Rights, within ten days of the date of service of the [...] Order, about the provisional measures it has adopted in compliance therewith [;]

6. To request the representative of the beneficiaries of these provisional measures to submit their observations within five days of the date of service of the report of the State.

7. To request the Inter-American Commission on Human Rights to submit its observations within five days of the date of service of the report of the State.

8. To request the State, after the submission of its first report [...], to continue informing the Inter-American Court of Human Rights every two months about the provisional measures it has adopted; to request the beneficiaries of such measures to submit their observations within the term of one month of the date of service of the reports of the State; and to request the Inter-American Commission on Human Rights to submit its observations on the above-mentioned reports of the State within the term of six weeks of the date they have been received.

* Judge Oliver Jackman did not take part in the deliberation and passing of this Order, as he informed that, for reasons beyond his will, he would not be able to attend the LXXII Regular Session of the Court.

[...]

2. The brief submitted by the Inter-American Commission on Human Rights (hereinafter "the Inter-American Commission" or "the Commission") on July 16, 2004, which included the list of names of Carlos Nieto-Palma's next of kin, in whose behalf the State of Venezuela (hereinafter "the State" or "Venezuela") must adopt protection measures. The beneficiaries of such measures are Yvonne Palma-Sánchez, mother; Eva Teresa Nieto-Palma, sister; and John Carmelo Laicono-Nieto, nephew. The Commission pointed out that Eva Teresa Nieto-Palma and John Carmelo Laicono-Nieto lived in Florida, United States of America, but both of them were in Venezuela until July 25, 2004, whereby "the State must adopt protection measures in their behalf while they stay in [its] jurisdiction."

3. The briefs submitted by the State on October 14, 2004; May 2, July 4, September 5, November 23, and December 5, 2005; and on February 10, April 5, and July 3, 2006; whereby it argued, *inter alia*, that:

a) by means of official letter No. 00102 of July 12, 2004 it started the pertinent steps before the Office of the Public Prosecutor to submit accurate information regarding the compliance of the State with the measures ordered. In that regard, the Attorney General of the Republic on October 4, 2004, by means of official letter No. DFGR-DVFGD-DGAP-DPDF-1469462, informed that the Thirty-Fourth Prosecutor of the Office of the Public Prosecutor was commissioned with full jurisdiction nationwide and "decided that all such relevant steps as may be necessary regarding the investigation proceedings be taken." He further informed that on July 16, 2004, the above-mentioned commissioned Prosecutor went to *Universidad Católica Andrés Bello*, where Carlos Nieto-Palma is a Professor, in order to establish his whereabouts. Furthermore, he pointed out that Mr. Nieto-Palma argued that "he was about to travel, whereby he could not possibly speak to said Prosecutor on that opportunity [...]." The State pointed out that on July 26, 2004 the *Juzgado Décimo Noveno de Primera Instancia en Funciones de Control del Circuito Judicial Penal* (Nineteenth First Instance Criminal Judicial Circuit Controlling Court) of Caracas Metropolitan Area, at the request of the Superior Prosecutor of the Office of the Public Prosecutor of said Judicial District, decided that protection measures were to be adopted in behalf of Carlos Nieto-Palma and designated the *Instituto Autónomo de Policía* (Police Autonomous Institute) of El Hatillo Municipal District as the agency in charge of taking such protection measures until July 29, 2004, when the Metropolitan Police undertook such functions;

b) it submitted a proposal for the creation of a "Special Brigade to coordinate and supervise the compliance with the Provisional and Precautionary Measures ordered by the Court and the Commission [...,] respectively, with the purpose of duly fulfilling the conventional duty of informing every two months [...] about the progress regarding the implementation of such measures;"

c) "the [...] case is in charge of the Thirty-Fourth Prosecutor of the Office of the Public Prosecutor with Criminal Jurisdiction Nationwide." Furthermore, it pointed out that, as regards the protection measures afforded to Mr. Nieto-Palma, "various officials assigned to the Metropolitan Police were duly complying therewith;"

d) it reiterated to the authorities hearing the case the need to receive prompt information about the progress of the investigation "which allows establishing whether there are risk factors which support the continuance or discontinuance of the protection measures afforded to" Mr. Nieto-Palma;

e) "during the period over which protection has been afforded to [Mr.] Nieto-Palma, on several occasions he refused outright to cooperate with the authorities in charge of investigating the accusations which allegedly put at risk his physical integrity and that of his next of kin, claiming that the procedures used were not clear;"

f) on August 5, 2005 the representative of the Office of the Public Prosecutor by means of a telephone communication summoned Carlos Nieto-Palma to appear on August 22, 2005 so that through an official photogram steps be taken to identify those possibly responsible for the facts denounced. It informed that Mr. Nieto-Palma stated that "he would not appear in response to the summons, as it had not been served in writing." Due to the foregoing, on August 26, 2005 the Office of the Public Prosecutor issued a summons for September 2, 2005. Notwithstanding, Carlos Nieto-Palma did not appear in response to this summons either, as he was away on vacation;

g) on November 4, 2005 Carlos Nieto-Palma appeared at the Office of the Public Prosecutor in order to supplement his statement of July 22, 2005, so that said office might establish the relevancy of holding an identity parade. The beneficiary did not tender any evidence which might support ordering that the above-mentioned measure be held;

h) as to the investigation into the facts denounced, on November 24, 2005 a request was submitted to the competent Controlling Court so that the case be dismissed, as "even though all relevant and necessary steps have been taken to resolve the case regarding the facts denounced by [Mr.] Nieto-Palma, from the investigation proceedings started by the Office of the Public Prosecutor no valid procedural relation has been established among the parties to the case which [...] allows establishing an actual and specific bearing on the events occurred [...],"

i) the officials assigned to the Metropolitan Police of El Hatillo District Police Station have complied with the protection measures they were in charge of, which consisted of daily visits around the house of Carlos Nieto-Palma, and

j) it requested the Court "to discontinue the provisional measures adopted in behalf of [Carlos Nieto-Palma, as] to date the State has fully complied therewith[,] and as, furthermore, the events and circumstances which gave rise to the adoption of such measures have already ceased."

4. The brief submitted by the representative of the beneficiaries of the provisional measures (hereinafter "the representative") on December 8, 2004, whereby he argued, *inter alia*, that the State "has not complied with the measures ordered by the Court." He pointed out that "the police authorities allegedly responsible for [the] protection of [Carlos Nieto-Palma] have merely visited his house every other day, and through the intercom, asked how he is." He further pointed out that in the case of the Metropolitan Police, "they have merely forwarded a weekly report to the criminal court hearing the case; on the contrary, the local Police of El Hatillo Municipal District [...]"

has understood that the threats have ceased and, therefore, has disregarded the case." Finally, he pointed out that though "no further threats have been posed against the life or physical integrity of Carlos Nieto-[Palma] and his next of kin, it is also true that the grave threats that were initially made against them still make them fear for their safety."

5. The communication of the Secretariat of the Court (hereinafter "the Secretariat") of February 4, 2005, whereby, on instructions from the President of the Court (hereinafter "the President"), it requested the State to submit forthwith the reports on the provisional measures of November 19, 2004 and January 19, 2005, pursuant to Order of the Court of July 9, 2004 (*supra* Having Seen clause 1).

6. The briefs submitted by the Inter-American Commission on December 13, 2004; August 17, and October 21, 2005; and January 26, March 27, and May 19, 2006; whereby, it argued, *inter alia*, that:

a) the child John Carmelo Laicono-Nieto and Eva Teresa Nieto-Palma returned to "their house in the city of Boca Ratón, State of Florida, United States of America, [whereby] such beneficiaries will not be included in its future observations [...]." Furthermore, it considered that "in case they [return] to Venezuela, their representatives shall promptly inform the Court in order to resume compliance with any measures that may have been adopted for their protection." Furthermore, it pointed out that the investigation steps taken by the State "do not comply with a standard, set by the Court, which allows determining that the risk factors which were duly established thereby have ceased or been disregarded a result of the investigation conducted." It notes that no further information has been submitted for the consideration of the Court, and that from the information which has been submitted it cannot be derived that coordination measures have been adopted or information is provided to the beneficiary;

b) it notes with increasing concern that in its periodic reports, the State claimed to be awaiting for the authorities hearing the case to inform about "the outcome of the investigation, so that it is possible to determine whether there are risk factors which support the continuance or discontinuance of the protection measures afforded" to the beneficiary. The Commission considered it relevant to reaffirm that no domestic proceeding may aim at replacing the jurisdiction of the Court to decide on the "continuance or discontinuance" of such measures;

c) it notes that there is a controversy between the State and the beneficiary regarding the duty to afford protection. The State informed that "it cannot implement the protection measures effectively due to the lack of cooperation of the beneficiary to arrange a meeting or answer to the summonses served by the Prosecutor [in charge of the] case. For his part, the beneficiary, "stat[ed] that the foregoing information is false [and] claims to have made statements at the Office of the Public Prosecutor on two occasions;"

d) the information supplied by the beneficiary is a cause for concern, as he deems that the control mechanism implemented by the State is intimidating. Therefore, the Commission deemed that the State must plan the protection measures jointly with the beneficiary and that it is relevant to maintain the provisional measures. It further pointed out that it is necessary to request the

State to inform about the progress of the investigation and to include in its next report a specific assessment of the effects of the investigation on the risk factors of irreparable damage that were established by the Court.

e) in its last reports, the State has not complied with the duty to inform the Court about the provisional measures adopted. Furthermore, it stated that it considers that the State has not complied with the duty to adopt the necessary measures to protect the life and physical integrity of Carlos Nieto-Palma, and

f) the report submitted by the State "does not address accurately the duties imposed by [O]rder of the Court of July 9, 2004 [...] to adopt protection measures, conduct an investigation into the facts which gave rise to the adoption of such measures, [and] allow the participation of the beneficiaries and inform the Court."

7. The briefs submitted by Carlos Nieto-Palma on August 5, October 20, and November 7, 2005; and on January 27, 2006; whereby he pointed out, *inter alia*, that:

a) "on [June 27, 2005] when he was reaching [his] house [...] outside [his] apartment [two] officers of the *Guardia Nacional* were awaiting for him [with] a summons to appear at the *Comando Regional 5, Destacamento 52, Sección de Investigaciones Penales* (Department of Criminal Investigations of the Fifty-Second Station under the Fifth Regional Headquarters) in charge of *Guardia Nacional* Second Lieutenant Gabriel Reyes-Manchado [, ... and] that such summons did not state the reasons why the beneficiary was summonsed to appear [...];"

b) "it is true that he h[as] not appeared in response to the summonses he has been served, on some occasions due to medical reasons [...]." Furthermore, he stated that the State "h[as] turned him from a victim to a criminal;"

c) the *Juzgado Décimo Noveno en lo Penal en Funciones de Control* del Area Metropolitana de Caracas (Nineteenth First Instance Criminal Judicial Circuit Controlling Court) of Caracas Metropolitan Area "nationalized" the provisional measures ordered by the Court through a procedure of which he was never informed, and

d) "the visits ordered are made by the Metropolitan Police of El Hatillo District Station only sporadically, whereby non-compliance therewith still continues." Furthermore, he stated that "the threats that ha[ve] been made against [him] for [the] time being [...] have ceased, and so has the persecution by the Thirty-Fourth Prosecutor of the Office of the Public Prosecutor with Full Jurisdiction Nationwide so that the beneficiary continues appearing at identity parades and supplementing his statements."

8. The communication of the Secretariat of April 26, 2005, whereby, on instructions from the President, it requested the State to submit forthwith the reports on the provisional measures of November 19, 2004 and January 19, and March 19, 2005; in accordance with the Order of the Inter-American Court of July 9, 2004. The communication of the Secretariat of June 14, 2005, whereby, on instructions from the President, it reiterated its request to the State to submit forthwith the reports on the

provisional measures of November 19, 2004 and January 19, and March 19, 2005; and whereby it further requested the State to submit its report of May 19, 2005.

9. On July 6, 2006, the Secretariat, on instructions from the President, and in view of the request made by the State so that the provisional measures be discontinued (*supra* Having Seen clause 3(j)), requested the representatives and the Inter-American Court to include in their observations detailed and up-to-date information about the situation of Carlos Nieto-Palma, and of the other beneficiaries of the provisional measures, Yvonne Palma-Sánchez and Eva Teresa Nieto-Palma, as well as of the minor John Carmelo Laicono-Nieto.

10. The briefs filed by Carlos Nieto-Palma on July 10 and August 17, 2006, whereby he submitted his observations and pointed out, *inter alia*, that:

a) non-compliance with the visits by the Metropolitan Police, El Hatillo District Station, still continues, as such visits are sporadic and are made during his work hours, whereby he cannot possibly be at home at the time they are made;

b) “the threats that ha[ve] been made against [him] for [the] time being [...] have ceased and so has the persecution by the Thirty-Fourth Prosecutor of the Office of the Public Prosecutor with Full Jurisdiction Nationwide so that the beneficiary continues appearing at identity parades and supplementing his statements;”

c) “[it is not] true” that the Thirty-Fourth Prosecutor of the Office of the Public Prosecutor with [Full] Jurisdiction Nationwide has requested the dismissal of the proceedings started regarding the facts denounced in the instant case by the beneficiary of the provisional measures, as it was informed by the Attorney General of the Republic. In any case, in his “status as victim” he has not been informed of said proceedings, nor has he been allowed to have access to the record, should this exist, or to exercise the right to defend himself. The Office of the Public Prosecutor has merely questioned him and requested him to appear at an identity parade;

d) as to the request to discontinue the provisional measures, the events which gave rise to their adoption are still latent, such as his work as a human rights activist who defends the rights of persons under arrest, the donations he receives from international agencies such as the USAID Program implemented by the US State Department, and the constant public threats of state officials to accuse human rights non-government organizations working in prisons. Whenever there is a quarrel or a riot in a prison, these organizations are accused of having caused such actions. All this “invalidates the request made by the State [...], which, in addition, has not tendered any conclusive evidence which supports its request;”

e) as to the beneficiaries of the measures, he pointed out that at present he is the General Coordinator of the non-government organization *Una Ventana a la Libertad*, made up of volunteers devoted to promoting and defending human rights in prisons and jails and who are professionals or students at the *Escuela de Derecho de la Facultad de Ciencias Jurídicas y Políticas* (Law School of the College of Legal and Political Science) of *Universidad Central de Venezuela*; he is also a Professor at the Chair *Cárceles y Derechos Humanos*

(Jails and Human Rights) of the above *Escuela de Derecho de la Facultad de Ciencias Jurídicas y Políticas*. At present his sister Eva Teresa Nieto-Palma and her son, John Carmelo Laicono, live in the city of Charlotte, North Carolina, United States of America, and travel regularly to Venezuela; and his mother Yvonne Palma-Sánchez lives with him in the city of Caracas, Venezuela, in the same house, and

f) he requested the Court to render judgment on the non-compliance with the protection measures ordered in his behalf and dismiss the discontinuance of such measures as requested by the State.

11. The brief submitted by the Inter-American Commission on August 23, 2006, whereby it pointed out, *inter alia*, that it is of the utmost importance to investigate the threats and actions against human rights activists in America. In the instant case the beneficiary of the measures "has informed the Court that the threats against him have ceased; [n]otwithstanding this information, [...] it is of the concern of the Court that the outcome of the investigation has never been achieved." Finally, the Commission considered that in order to assess these provisional measures, it is necessary to receive information regarding the protection measures adopted by the State between May and August, 2006, including the accurate state of the proceedings and indicating whether the dismissal thereof has been ordered by a judicial authority.

12. The briefs submitted by the State on August 23, and September 5, 2006, whereby it pointed out, *inter alia*, that:

a) the *Juzgado Cuadragésimo Octavo de Primera Instancia en Funciones de Control del Circuito Judicial Penal* (Forty-Eighth First Instance Criminal Judicial Circuit Controlling Court) of Caracas Metropolitan Area has not as yet rendered judgment regarding the request for the proceedings to be dismissed;"

b) "in accordance with the information which was last received [from the Office of the Public Prosecutor,] protection measures have been afforded through the visits made around the house of [Carlos Nieto-Palma]," and the State has requested the Office of the Public Prosecutor to provide information about the compliance with the protection measures ordered, which, in turn, would be duly forwarded to the Court;

c) "protection measures have been afforded for over two (2) years; furthermore, there have been no circumstances which may lead to assume the existence of grave risks to the life or safety of Carlos Nieto-[Palma] or of any of his next of kin, among them [...] Eva Teresa Nieto-Palma and the child John Carmelo Laicono, who do not live in the Bolivarian Republic of Venezuela [...,] wherefore the State could not possibly afford protection thereto," and

d) it reiterated its request so that the provisional measures ordered on July 9, 2004 in behalf of Carlos Nieto-Palma and his next of kin be discontinued "as there is no evidence of irreparable damage or an imminent danger [against] them."

CONSIDERING clause:

1. That the State ratified the American Convention on August 9, 1977 and that pursuant to Article 62 thereof, it recognized the contentious jurisdiction of the Court on June 24, 1981.
2. That Article 63(2) of the American Convention provides that, “[a]t any stage of the proceedings involving cases of extreme gravity and urgency and when necessary to avoid irreparable damage to persons, the Court may, at the request of a party or on its own motion, order such provisional measures as it deems pertinent in matters it has under consideration. With respect to a case not yet submitted to the Court, it may act at the request of the Commission,”
3. That Article 25(1) of the Rules of Procedure provides that, “[a]t any stage of the proceedings involving cases of extreme gravity and urgency, and when necessary to avoid irreparable damage to persons, the Court may, at the request of a party or on its own motion, order such provisional measures as it deems pertinent, pursuant to Article 63(2) of the Convention.”
4. That Article 1(1) of the Convention enshrines the duty of the States Parties to ensure to all persons subject to their jurisdiction the free and full exercise of the rights and freedoms protected by such treaty.
5. That under Human Rights International Law urgent and provisional measures serve a further purpose, which is to protect fundamental human rights, thus preventing irreparable damage to persons.
6. That provisional measures are exceptional, are ordered in response to the need of protection, and, once ordered, must be maintained as long as the Court deems that the prerequisites of extreme gravity and urgency and the need to prevent irreparable damage to the rights of the persons thereby protected persist.
7. That pursuant to the Order of the Inter-American Court of July 9, 2004 (*supra* Having Seen clause 1) the State must, *inter alia*, adopt measures aimed at protecting the life, physical integrity, and personal freedom of Carlos Nieto-Palma, as well as the lives and physical integrity of his next of kin; conduct an investigation into the facts which gave rise to the adoption of the provisional measures in order to identify those responsible and punish them; allow the beneficiaries or the representatives thereof to take part in the planning and implementation of the protection measures, as well as to keep them informed of the progress regarding the compliance with the measures ordered by the Court, and submit to the Court such reports as may be required.
8. That on July 3, 2006 the State requested that the provisional measures ordered in behalf of Carlos Nieto-Palma be discontinued due to the fact that “to date the State has fully complied with [such measures and as], furthermore, the events and circumstances which gave rise to the adoption of such measures [...] have already ceased,” and that on August 23, 2006 it requested that the provisional measures be discontinued “as there is no evidence of irreparable damage or an imminent danger against [Carlos Nieto-Palma and his next of kin]” (*supra* Having Seen clause 3(j) and 12(d)). Furthermore, it pointed out that the *Juzgado Cuadragésimo Octavo de Primera Instancia en Funciones de Control del Circuito Judicial Penal* (Forty-Eighth First Instance Criminal Judicial Circuit Controlling Court) of Caracas Metropolitan Area has not as yet rendered judgment regarding the request so that the proceedings be dismissed;”

9. That Carlos Nieto-Palma has informed, *inter alia*, that the threats against him which gave rise to the adoption of provisional measures have ceased, but are still latent by reason of his work as a human rights activist who defends the rights of persons under arrest and the constant public threats of state officials who accuse human rights non-government organizations working in prisons whenever there is a quarrel or a riot, of having caused such actions. He added that the State has not complied with the protection measures ordered in his behalf (*supra* Having Seen clause 7 and 10).

10. That the Commission showed its concern as "the outcome of the investigation has never been achieved" (*supra* Having Seen clause 11). In this regard, the State informed that the Thirty-Fourth Prosecutor of the Office of the Public Prosecutor with Full Jurisdiction Nationwide on November 24, 2005 filed a request before the *Juzgado Cuadragésimo Octavo de Primera Instancia en Funciones de Control del Circuito Penal* (Forty-Eighth First Instance Criminal Judicial Circuit Controlling Court) of Caracas Metropolitan Area so that the proceedings be dismissed. Notwithstanding, the beneficiary Nieto-Palma stated before the Court that it was not true that such Prosecutor had requested the dismissal of the case, and that, in any case, he had not been informed of such request (*supra* Having Seen clause 10).

11. That in view of the reports submitted by the State and the observations filed by the Inter-American Commission and the beneficiary of the measures, Carlos Nieto-Palma, as well as of the facts related to the investigation, regarding the processing of which the State and the beneficiary have submitted different information, the Court considers that the provisional measures ordered in behalf of Carlos Nieto-Palma must be maintained, taking into consideration the grounds for the request of provisional measures submitted by the Commission on July 7, 2004. Furthermore, it considers it relevant to maintain the provisional measures adopted in behalf of Yvonne Palma-Sánchez, mother of Mr. Nieto-Palma.

12. That the State in its next two-monthly report must include up-to-date information on the procedures through which the protection measures in behalf of Carlos Nieto-Palma have been adopted, and on the outcome of the alleged request of the Office of the Public Prosecutor regarding the dismissal of the proceedings, or else, on the current procedural state thereof.

13. That in view of what has been informed by the Commission and the beneficiary regarding the fact that Eva Teresa Nieto-Palma and John Carmelo Laicono-Nieto, sister and nephew of Carlos Nieto-Palma respectively, have returned to the city of Charlotte, North Carolina, United States of America, where they now live, it is necessary that the representative inform whether the protection of their lives and physical integrity is necessary by means of these provisional measures.

14. That pursuant to Order of the Inter-American Court of July 9, 2004 (*supra* Having Seen clause 1), the State must keep the beneficiary informed about the progress regarding the compliance with the measures ordered by the Court and submit to the Court such reports as may be required.

15. That regarding the implementation of the provisional measures ordered, the respondent States must adopt any and all steps as may be necessary for the effective protection of the beneficiary thereof, pursuant to the instructions from the Court. This obligation includes the duty to inform the Court about the implementation of the provisional measures as often as this may be required.

16. That the duty to inform the Court is not complied with through the mere formality of submitting a document to it, but is a dual obligation the effective fulfillment of which requires the formal submission of a document in due time which addresses in a specific, certain, updated, and detailed manner the objects of such duty.¹

17. That the State has not submitted every two months the report on the compliance with the provisional measures, pursuant to the Order of the Court of July 9, 2004 in the instant case (*supra* Having Seen clause 1). Thus, following the above-mentioned Order, the State has not submitted the reports of November 19, 2004; January 19, March 19, and May 19, 2005 on the compliance with the provisional measures (*supra* Having Seen clause 8).

NOW THEREFORE:

THE INTER-AMERICAN COURT OF HUMAN RIGHTS

Pursuant to Article 63(2) of the American Convention on Human Rights and Articles 25 and 29 of its Rules of Procedure,

DECIDES:

1. To reiterate the provisions of Order of the Inter-American Court of July 9, 2004.
2. To reiterate that the State must maintain the measures it may have adopted and take forthwith such other measures as may be necessary to effectively protect the life, physical integrity, and personal liberty of Carlos Nieto-Palma, as well as the lives and physical integrity of Yvonne Palma-Sánchez, Eva Teresa Nieto-Palma, and John Carmelo Laicono-Nieto.
3. To request the beneficiaries of the provisional measures or the representative thereof to inform the Inter-American Court in detail and specifically within the term of ten days of the date of service of this Order about the need to maintain these provisional measures in behalf of Eva Teresa Nieto-Palma and John Carmelo Laicono-Nieto, in accordance with Considering clause 13.
4. To request the State to allow the beneficiaries of these measures to take part in the planning and implementation thereof and, in general, to keep them informed about the progress regarding the compliance with the measures ordered by the Inter-American Court of Human Rights.
5. To request the State to continue informing the Inter-American Court of Human Rights every two months about the provisional measures it has adopted, to request the beneficiaries of such measures to submit their observations within the term of one

¹ Cf. *Matter of Millacura-Llaipén et al.* Provisional Measures. Order of the Inter-American Court of Human Rights of July 6, 2006, Considering clause 20; *Matter of Marta Colomina and Liliana Velásquez.* Provisional Measures. Order of the Inter-American Court of Human Rights of July 4, 2006, Considering clause 9, and *Matter of the Mendoza Prisons.* Provisional Measures. Order of the Inter-American Court of Human Rights of March 30, 2006, Considering clause 14.

month of the service of the reports of the State, and to request the Inter-American Commission on Human Rights to submit its observations on said reports of the State within the term of six weeks of the date they have been received.

6. To request the Secretariat to serve notice of this Order to the Inter-American Commission on Human Rights, to the representative of the beneficiaries of these measures, and to the State.

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