

**Order of the
Inter-American Court of Human Rights
of February 2, 2007
Case of Sawhoyamaxa Indigenous Community v. Paraguay
(Monitoring Compliance with Judgment)**

HAVING SEEN:

1. The judgment on the merits, reparations, and costs delivered in the present case by the Inter-American Court of Human Rights (hereinafter “the Court”, “the Inter-American Court” or “the Tribunal”) on March 29, 2006, through which, it unanimously

DECLARE(D) THAT

1. the State violated the rights to a fair trial and to judicial protection firmly entrenched in Articles 8 and 25, respectively, of the American Convention on Human Rights, with regard to Articles 1(1) and 2 of said, to the detriment of the members of the Sawhoyamaxa indigenous community, pursuant to paragraphs 87 to 89 and 93 to 112 of [...] judgment.

2. the State violated the right to property firmly entrenched in Article 21 of the American Convention on Human Rights, with regard to Articles 1(1) and 2 of said, to the detriment of the members of the Sawhoyamaxa indigenous community, pursuant to paragraphs 117 to 144 of the [...] judgment.

3. the State violated the right to life firmly entrenched in Article 4(1) of the American Convention on Human Rights, with regard to Articles 1(1) and 19 of said, pursuant to paragraphs 150 to 178 of the [...] judgment.

4. it [was] not necessary to rule on the right to personal safety, pursuant to paragraph 185 of the [...] judgment.

5. the State violated the right to juridical personality firmly entrenched in Article 3 of the American Convention on Human Rights, with regard to Article 1(1) of said, to the detriment [of] NN Galarza, Rosana López, Eduardo Cáceres, Eulalio Cáceres, Esteban González Aponte, NN González Aponte, Niño Yegros, Jenny Toledo, Guido Ruiz Díaz, NN González, Luis Torres Chávez, Diego Andrés Ayala, Francisca Britez, Silvia Adela Chávez, Derlis Armando Torres, Juan Ramón González, Arnaldo Galarza and Fátima Galarza, pursuant to paragraphs 186 to 194 of the [...] judgment.

[...]

And order(ed) that:

6. the State undertake all the legislative, administrative, and any other type of measure necessary to physically and formally hand over, within a period not to exceed three years, to the members of the Sawhoyamaxa community their traditional territories, pursuant to paragraphs 210 to 215 of the [...] judgment.

7. the State establish a community development fund, pursuant to paragraphs 224 and 225 of the [...] judgment.

8. the State make payment for non-pecuniary damage, costs, and expenditures, within a period of one year, as of the date of notification of the [...] judgment, pursuant to paragraphs 218, 226 and 227 of the [...] judgment.

9. as long as the members of the Sawhoyamaxa indigenous community do not have territory, the State must provide them with the goods and basic services necessary for their subsistence, pursuant to paragraph 230 of the [...] judgment.

10. [within] the six months after the date of notification of the present judgment, the State must establish in the villages Santa Elisa and Kilometro 16 of the Sawhoyamaxa community a communications system that will enable the victims to contact the competent health authorities, in case of emergencies, pursuant to paragraph 232 of the [...] judgment.

11. the State must implement, in a period not to exceed one year as of the date of notification of the present judgment, a registration and documentation program, pursuant to paragraph 231 of the [...] judgment.

12. the State must adopt in its domestic legislation, within a reasonable period of time, the legislative, administrative and of any other type of measure necessary for creating an effective mechanism for members of the indigenous communities to claim ancestral territories and make real their rights to their traditional territories, pursuant to paragraph 235 of the [...] judgment.

13. the State must publish the information as stipulated in paragraph 236 of the [...] judgment, within the period of one year after the date of notification of said. In addition, the State must finance the radio broadcasting of [the] judgment, pursuant to paragraph 236 of said.

14. the Court shall monitor compliance with [the] judgment and will close the present case once the State has fully met its provisions. Within six months after the date of notification of [the] judgment, the State must report to the Court on the measures taken to comply with it, pursuant to paragraph 247 of said.

2. The report of the State of Paraguay (hereinafter "the State") of November 21, 2006 and its appendixes, through which it reported that:

- a) the community is receiving regular assistance from the State in regard of food, through the National Emergency Service, which has delivered to it, "on a monthly basis[,] a worthy amount of provisions";
- b) the Ministry of Health "provided health care to [the] inhabitants [of the community], and also provided them with medication";
- c) the Ministry of Education and Culture is providing support to the community school, "providing educational materials such as notebooks, books and others," and
- d) the Office of the Governor of Concepción provided "drinking water during the drought."

Moreover, the State pointed out that "specific information" would be provided shortly, in order to complement its report.

3. The communication from the representatives of the victims (hereinafter "the representatives") of January 12, 2007 and its appendixes, received on January 17, 2007, which reported on the death of four members of the Sawhoyamaxa community, "in the community itself and without having received medical care or, if they received it, it was provided negligently." According to the statement of the representatives, this occurred in the following cases:

- a) Rafael Martínez, 48 years old, died in November 2006. He was taken by his wife, Marta Alvarenga Aponte, to the health center in the

city of Concepción, where “he was not attended nor was he submitted to any examination. He died the day after that trip in the seat of Santa Elisa village–Sawhoyamaxa”;

b) Aurelia Montanía, one year old, daughter of Maximina Galeano, died in December 2006. She exhibited “symptoms of diarrhea. Did not receive medical care”;

c) Eulalio Yegros, four months old, son of María Teresa Acuña, died in December 2006. He exhibited “pain in the chest and diarrhea. Did not receive medical care”; and

d) Rodrigo Marcial Dávalos, two years old, son of María Teresa Acuña, died in December 2006. He exhibited “symptoms of diarrhea and vomiting. Did not receive medical care.”

The representatives indicated that, in addition, the children who died did not have “identification documents, meaning they did not have certificates of birth or death.” The representatives added that on January 9, 2007 the organization Tierraviva, which they are members of, “helped take five more children to the regional hospital in Concepción,” and that in their opinion this could represent “a health situation that is affecting more people in the [C]ommunity.”

With regard to operative paragraph ten of the judgment issued in the present case (*supra* Having Seen 1), in the representatives’ opinion the State has not established a communications system that enables victims to contact the competent health authorities in case of emergency. “The three children died after the deadline for the establishment of the communication system [...], which would have been used to report the gravity of their situation.” Also, they stated that “the isolated delivery of medication and the sporadic medical care [being received] makes no sense if the members of the [C]ommunity are not submitted to a comprehensive analysis and treated according to the findings of a health assessment.”

Finally, with regard to food provisions, they declared that, “although [food is] provided on a regular basis, it falls very short of meeting the standards on quality and quantity established in the judgment.”

4. The note of the Secretariat dated January 15, 2007, through which, on the instruction of the President of the Court, the State was given until January 22, 2007 to present its observations on the communication from the representatives. In particular, it was requested to: report on the medical care provided to the persons who died, if any such care had been provided; indicate if the persons who died had birth certificates and if death certificates have been issued; provide the information in the previous State’s report (*supra* Having Seen 2), and in general, describe the measures it has taken to comply with the judgment.

5. The briefs of the State of January 24 and 30, 2007, through which, after an extension was granted, forwarded, *inter alia*, a report of the Public Health & Social Welfare Ministry (*Ministerio de Salud Pública y Bienestar Social*), from which it detaches:

a) that the State confirms the deaths of the four persons pointed out by the representatives (*supra* Having seen 3),

- b) that the causes of death of these persons vary between diarrhea, vomit and dehydration;
- c) that the child Rodrigo Marcial Dávalos¹ had his first consultation at the Hospital Regional de Concepción, here he was prescribed “oral rehydrating liquids”, but he did not come back for a second consultation;
- d) that the girl Aurelia Montanía² “could not [go] al Hospital Regional because her father was working at a farm and her mother did not have money to buy the ticket”;
- e) that on January 18, 2007, the State granted medical attention and medicines to 19 persons, from which “the majority [were] children with diagnosis of the flu syndrome, diarrhea, vomits and Piodermitis”. Similarly, the State transferred to a hospital a 10-month old minor who had suffered “diarrhea and vomits” for 15 days, and a 60 year-old lady who was handicapped, and
- f) that “none of the minors has a birth certificate, neither are they registered[,] because most of the births [take place] in the mother’s or grandmother’s house”.

The said report concludes, *inter alia*, that “the water that people drink” should be drinkable, and it should “make sure of the exemption of the tickets for these people, so they can get to the health facilities as often as they need to, since the delay of this attention is the cause of this deaths”. Also, it stated that the groceries delivered by the State are not “nourishable” enough, and that the State should “add milk and other proteins” to it.

The State, also, forwarded a copy of the Resolution No. 37 of January 10, 2007, from the Public Health & Social Welfare Ministry (*Ministerio de Salud Pública y Bienestar Social*), were was stipulated “the execution of a medical audit to the Hospital Regional de Concepción [...] in regards to the deaths of four members of the Sawhoya[m]axa community”.

CONSIDERING

1. That it is a power inherent to the jurisdictional duties of the Court to monitor compliance with its decisions.
2. That Article 68(1) of the American Convention stipulates that, “the States Parties to the Convention undertake to comply with the judgment of the Court in any

¹ The State identified him as Rodrigo Marcial Yegros. The Court does not have the documents that give certainty to this.

² The State identified her as Arbella Galeano Montanía. Likewise, it pointed out that the girl was three years old by the time of her death, while representatives said she was one year old. The Court does not have the documents that give certainty to this.

case to which they are parties." Accordingly, the States must ensure implementation at the domestic level of the judgments of the Court.³

3. That the obligation to comply with the decisions in the Court's judgments corresponds to a basic principle of the law of the international responsibility of the State, supported by international case law, according to which, a State must comply with its international treaty obligations in good faith (*pacta sunt servanda*) and, as this Court has already indicated and as established in Article 27 of the 1969 Vienna Convention on the Law of Treaties, a party may not invoke the provisions of its internal law as justification for its failure to perform a treaty.⁴ That the treaty obligations of the States Parties are binding for all the powers and organs of the State.

4. That the States Parties to the Convention must ensure compliance with its provisions and their inherent effects (*effet utile*) within their respective domestic legal systems. This principle is applicable not only with regard to the substantive norms of human rights treaties (that is, those which contain provisions concerning the protected rights), but also with regard to procedural norms, such as those referring to compliance with the decisions of the Court. These obligations shall be interpreted and applied so that the protected guarantee is truly practical and effective, bearing in mind the special nature of human rights treaties.⁵

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5. That, in the instant case, the Court found it proved that:

In addition to the lack of lands, the life of the members of the Sawhoyamaxa Community is characterized by unemployment, illiteracy, morbidity rates caused by avoidable illnesses, malnutrition, the precarious conditions of their dwelling places and environment, limited access and use of health care services and drinking water, as well as marginalization for economic, geographic and cultural reasons.⁶

6. That this situation of vulnerability of the members of the Sawhoyamaxa Community persisted even after the President of the Republic of Paraguay issued Decree No. 3789 on June 23, 1999, declaring a state of emergency. Furthermore,

³ *Cfr. Case of Bámaca Velásquez*. Compliance of Judgment. Order of the Inter-American Court of Human Rights of 4 July 2006, Third considering clause; *Case of the "Five Pensioners"*. Order of the Inter-American Court of Human Rights of 4 July 2006, Third considering clause, and *Case of the 19 Tradesmen*. Order of the Inter-American Court of Human Rights of 2 February 2006, Third considering clause.

⁴ *Cf. Case of Yatama*. Compliance with judgment. Order of the Inter-American Court of Human Rights of November 29, 2006, fifth considering paragraph; *Case of Cesti Hurtado*. Compliance with judgment. Order of the Inter-American Court of Human Rights of September 22, 2006, seventh considering paragraph, and *Case of Ricardo Canese*. Monitoring compliance with judgment. Order of the Inter-American Court of Human Rights of September 22, 2006, sixth considering paragraph.

⁵ *Cf. Case of Yatama*. Compliance with judgment. Order of the Inter-American Court of Human Rights of November 29, 2006, sixth considering paragraph; *Case of Cesti Hurtado*. Compliance with judgment. Order of the Inter-American Court of Human Rights of September 22, 2006, eighth considering paragraph, and *Case of Ricardo Canese*. Monitoring compliance with judgment. Order of the Inter-American Court of Human Rights of September 22, 2006, seventh considering paragraph.

⁶ *Cf. Case of the Sawhoyamaxa Indigenous Community*. Judgment of March 29, 2006. Series C No. 146, para. 168.

the Court also found it proved that the measures adopted by the State to comply with the decree were insufficient and inadequate.⁷ Indeed, at least 19 persons died following the entry into force of the said emergency decree.⁸ Most of them were children under the age of three; and the cause of death was attributed to diseases that could reasonably have been foreseen, avoided and treated at little cost.⁹

7. That the Court had also verified the contents of one of the expert opinions submitted to it, to the effect that “the few [members of the Community who were ill and] who managed to reach a doctor or a medical center, did so when it was too late or were treated very inadequately or, more precisely, were treated inhumanely.”¹⁰

8. That, based on the foregoing and other considerations, the Court declared that Paraguay had “violated Article 4(1) of the American Convention, in relation to Article 1(1) thereof, because it has not adopted the necessary positive measures within its powers, which could reasonably be expected, to prevent or avoid endangering the right to life of the members of the Sawhoyamaxa Community.” In addition, the Court considered that the deaths of the 19 child members of the Community could be attributed to the State, “precisely owing to the absence of prevention measures, which also constituted a violation of Article 19 of the Convention.”¹¹

9. That, unlike the provisional measures that the Court orders pursuant to Article 63(2) of the American Convention, which require the *prima facie* demonstration of a situation of extreme gravity and urgency, the instant case embodies an extreme gravity and urgency that are not merely evident *prima facie*, but were fully proved before the Court and expressly declared by the Court in its judgment. Furthermore, the extreme situation of the members of the Community constituted in itself a violation of Article 4 of the Convention, owing to the absence of adequate measures to prevention the violation of their right to life (*supra* eighth considering paragraph). Consequently, the Court ordered the State to adopt a series of measures designed to bring an end to this violation, in particular in the ninth and tenth operative paragraphs (*supra* first having seen paragraph), which ordered the State to provide the Community with the basic goods and services necessary for survival, and to set up a communication system enabling the victims to contact the competent health authorities in case of emergencies. The obligation to provide goods was of an immediate nature, to be complied with as soon as the judgment of May 25, 2006, was notified to the State; while the communication system should have been established within the non-extendible period of six months from this notification.

10. That, likewise, in the instant case it was not a question of avoiding irreparable damage to persons for facts that remained to be proved, but rather to halt the consequences of a violation of the Convention that had already been declared by the

⁷ Cf. *Case of the Sawhoyamaxa Indigenous Community*, *supra* note 6, para.170.

⁸ Cf. *Case of the Sawhoyamaxa Indigenous Community*, *supra* note 6, paras. 73(74)(1), 5 to 16, 20, 22 and 27 to 30.

⁹ Cf. *Case of the Sawhoyamaxa Indigenous Community*, *supra* note 6, paras. 73(74) and 171.

¹⁰ Cf. *Case of the Sawhoyamaxa Indigenous Community*, *supra* note 6, para. 176.

¹¹ Cf. *Case of the Sawhoyamaxa Indigenous Community*, *supra* note 6, para. 178.

Court and that, without a doubt, caused irreparable damage to victims who have already been individualized and considered as such in a final non-appealable judgment.

11. That, according to the information submitted by the representatives and by the State itself, it is clear that Paraguay has failed to comply with the judgment delivered in this case, and this non-compliance has led to the death of four more individuals, three of them children under the age of three, and the hospitalization of at least five children.

12. That the Court regrets that this non-compliance by the State has cost the life of four human beings and, consequently, the break-up of their families. In this regard, the Court notes that María Teresa Acuña lost two of her children (*supra* third having seen paragraph).

13. That the Court considers that the State has not ceased violating the right to life of the members of the Sawhoyamaxa Community, because it maintains them in a high-risk situation and has not adopted adequate preventive measures to avoid loss of life. This is irrefutably proved by the four deaths that have occurred, and by the hospitalization of five children (*supra* third having seen paragraph).

14. That the death of the children occurred after the date established by the Court for the State to set up an emergency communication system. Therefore, these children died without having received opportune and effective medical care and in the same situation of abandonment that the Court found to be proven. This constitutes a failure of Paraguay to comply with its international commitments acquired with the ratification of the American Convention, as well as failure to comply with what this Court ordered.

15. That the report of the Ministry of Public Health and Social Welfare, which the State presented to the Court (*supra* fifth having seen paragraph), shows once again that the members of the Community do not have the resources to cover the expenditure involved by the transfer of those who are ill to the health care centers. In these circumstances, the emergency communication system that the State must set up in the Community, and the obligatory facilitation of the transfer of those who are ill, are extremely important.

16. That the Court appreciates the recent care provided by the Ministry of Health to 19 members of the Community, and the transfer to hospital of some of those who were ill (*supra* fifth having seen paragraph). It also appreciates the Ministry's decision to order a medical audit of the Concepción Regional Hospital. Nevertheless, it considers that these measures, although positive, are insufficient to end the violations that continue to be committed against the members of the Community.

17. That it is urgent that the State comply fully with all aspects of the Court's judgment (*supra* first having seen paragraph), and thus end the violation of the right to life of the members of the Community, avoid further deaths, and respect the rights of the children.

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18. That, in the judgment delivered in this case, the Court indicated that:

The [...] members of the Community have remained in a legal limbo in which, although they were born and have died in Paraguay, their existence and identity were never legally recognized; that is to say, they were not recognized as persons before the law.¹²

19. That the Court considered that this constituted a violation of Article 3 of the American Convention and, consequently, ordered Paraguay to conduct, "within one year at the most from notification of the [...] judgment, a registration and documentation program," so that the members of the Community can be registered and obtain their identity documents (*supra* first having seen paragraph).

20. That, although it is true that the one-year period has not yet expired, the Court is concerned by the information provided by the representatives and the State itself, to the effect that none of the children who died had an identity document.

21. That, in view of the above, the Court finds it opportune to remind Paraguay that it must comply fully and within the established time with its obligation to register all the members of the Community and provide them with their identity documents.

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22. That the State has not provided information on the other operative paragraphs pending compliance, which refer to:

- a) Delivery of the traditional lands to the members of the Community (*sixth operative paragraph of the judgment on merits, reparations, and costs*);
- b) Establishment of a community development fund for educational, housing, agricultural and health projects, to be determined by an implementation committee (*seventh operative paragraph of the judgment on merits, reparations, and costs*);
- c) Payment of non-pecuniary damage, and costs and expenses (*eighth operative paragraph of the judgment on merits, reparations, and costs*);
- d) Creation of an effective mechanism for members of the indigenous communities to claim their ancestral lands (*twelfth operative paragraph of the judgment on merits, reparations, and costs*), and
- e) Publication and broadcasting by radio of the judgment in the instant case (*thirteenth operative paragraph of the judgment on merits, reparations, and costs*).

23. That the time awarded to the State to comply with the above-mentioned sixth, seventh, eighth, twelfth and thirteenth operative paragraphs has not yet expired. Nevertheless, pursuant to the fourteenth operative paragraph of the judgment, the State must inform the Court (*supra* first having seen paragraph)

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Cf. Case of the Sawhoyamaya Indigenous Community, supra note 6, para. 192.

about the steps it has taken to comply with all the reparations ordered by the Court in the allotted time.

THEREFORE:

THE INTER-AMERICAN COURT OF HUMAN RIGHTS,

pursuant to its authority to monitor compliance with its decisions, in accordance with Articles 33, 62(1), 62(3), 65, 67 and 68(1) of the American Convention on Human Rights, 25(1) and 30 of its Statute, and 29(2) of its Rules of Procedure,

DECLARES:

1. That the State of Paraguay has failed to comply with the fifth to seventeenth paragraphs of the judgment on merits, reparations, and costs delivered in this case, as indicated in considering paragraphs 5 to 17 of this Order.
2. That it will keep open the procedure to monitor compliance with all aspects of the judgment.

AND DECIDES:

1. To require the State to provide immediately the basic goods and services and medical care necessary for the survival of the members of the Sawhoyamaxa Indigenous Community, in the terms of paragraph 230 of the judgment delivered in this case, so that deaths, such as those that occurred recently, do not continue. In this regard, paragraph 230 indicates:

[...] while the members of the Community remain landless, the State shall immediately, regularly and permanently adopt measures to: (a) supply sufficient drinking water for consumption and personal hygiene to the members of the Community; (b) provide medical check-ups and care to all the members of the Community, especially the children, the elderly and women, together with periodic deparasitation and vaccination campaigns, respecting their practices and customs; (c) deliver food of adequate quantity and quality; (d) set up latrines or other type of sanitation facilities in the settlements of the Community, and (e) provide the school of the "Santa Elisa" settlement with all necessary material and human resources, and establish a temporary school with all necessary material and human resources for the children of the "Kilómetro 16" settlement. The education provided must respect the cultural values of the Community and of Paraguay, insofar as possible, and be bilingual: in the Exent language and, at the discretion of the members of the Community, in either Spanish or Guarani.

2. To require the State to establish, forthwith, in the Santa Elisa and Kilómetro 16 settlements of the Sawhoyamaxa Community, a communication system that will allow the victims to contact the competent health authorities to attend emergency cases, in accordance with the tenth operative paragraph of the judgment delivered in this case.
3. To require the State to adopt all necessary measures to comply effectively and promptly with the judgment, as stipulated in Article 68(1) of the American Convention on Human Rights.

4. To require the State to present to the Inter-American Court of Human Rights, by March 26, 2007, at the latest, a report indicating all the measures adopted to comply with the reparations ordered by the Court. The State's report must include detailed information on each of the reparations ordered. In particular, the report must include information on – but not limited to – the following aspects:

- a) Regarding immediate attention to the members of the Community (*ninth operative paragraph of the judgment on merits, reparations, and costs*), the State must submit information that will allow the Court to differentiate the goods and services supplied to the members of the Sawhoyamaxa Community from those supplied to other communities. To this end, the report must also include:
 - i) Regarding the supply of drinking water, the State must specify: (1) the delivery schedule; (2) the means used to make deliveries and ensure the water is pure; (3) the amount supplied to each person and/or family, and (4) the means used by the State to determine the amount to be delivered;
 - ii) Regarding periodic medical care and the supply of medicines, the State must specify: (1) the number of persons attended, their names and, if applicable, whether they were hospitalized; (2) progress in the deparasitation process, and (3) progress in the vaccination process;
 - iii) Regarding the supply of food, the State must specify: (1) the delivery schedule; (2) the amount of food supplied, by person and/or family, and (3) the criteria used by the State to determine the type of food and the amount to be supplied, and the delivery schedule;
 - iv) Regarding the effective and hygienic management of biological waste, the State must specify the type and number of sanitation facilities to be delivered, and
 - v) Regarding the bilingual material to be supplied to the Community school, the State must specify the type of material and the amount of material for each student.
- b) Regarding the adaptation of domestic law to the American Convention (*twelfth operative paragraph of the judgment on merits, reparations, and costs*), the State must indicate all the administrative, legislative or other measures it has adopted up until the date of the report, and the corresponding results;
- c) Regarding the establishment of the Implementation Committee (*seventh operative paragraph of the Judgment on merits, reparations, and costs*), the State must forward to the Court the names of the members, and the minutes or the decisions adopted at each session of the Committee, and
- d) Regarding the process of delivering the ancestral lands to the members of the Community (*sixth operative paragraph of the judgment on merits, reparations, and costs*), the State must report on all the steps taken to this end, and forward the necessary supporting documentation.

5. To require the State, following the expiry of the one-year period it has been granted to comply with the other measures of reparation ordered in the judgment of Court, to submit a report as follows:

- a) Regarding the payments ordered in the judgment for pecuniary and non-pecuniary damage, and for costs and expenses (*eighth operative paragraph of the judgment on merits, reparations, and costs*), the State must forward to the Court appropriate vouchers confirming the payment of the amounts established in the judgment;
 - b) Regarding the publications ordered in the judgment (*thirteenth operative paragraph of the judgment on merits, reparations, and costs*), the State must forward a legible copy of them;
 - c) Regarding the radio broadcast of the judgment (*thirteenth operative paragraph of the judgment on merits, reparations, and costs*), the State must provide the Court with the respective written attestations of the radio station used, the broadcast timetable, the number of broadcasts and the respective language. Likewise, the State must forward a recording of one of the broadcasts, together with a transcript and, should it be in a language other than Spanish, a translation of the transcript;
 - d) Regarding the program to register and provide identity documents to all the members of the Community (*eleventh operative paragraph of the judgment on merits, reparations, and costs*), the State must provide information on the number of persons registered, the number of identity documents delivered and, if applicable, the dates and times of the visits to the Community for this purpose.
6. To request the representatives of the victims and the Inter-American Commission on Human Rights to submit their observations on the State's report mentioned in the fourth operative paragraph of this Order, within four and six weeks, respectively, of receiving it.
 7. To require the State, following the report mentioned in the fourth operative paragraph of this Order, to continue informing the Court every two months on the measures it has implemented to comply with the ninth and tenth operative paragraphs of the judgment delivered in this case.
 8. To request the representatives of the victims and the Inter-American Commission on Human Rights to submit observations on the State reports mentioned in the fifth and seventh operative paragraphs, within four and six weeks, respectively, of receiving each report.
 9. To continue monitoring the aspects pending compliance of the judgment on merits, reparations, and costs of March 29, 2006.
 10. To require the Secretariat of the Court to notify this order to the State, the Inter-American Commission on Human Rights, and the representatives of the victims.

Sergio García Ramírez
President

Cecilia Medina Quiroga

Manuel E. Ventura Robles

Diego García-Sayán

Leonardo A. Franco

Margarette May Macaulay

Rhadys Abreu Blondet

Pablo Saavedra Alessandri
Secretary

So ordered,

Sergio García Ramírez
President

Pablo Saavedra Alessandri
Secretary