

**Order of the
Inter-American Court of Human Rights
of November 21, 2007
Provisional Measures regarding Guatemala
Matter of the Forensic Anthropology Foundation**

HAVING SEEN:

1. The Order of the Inter-American Court of Human Rights (hereinafter "the Court" or "the Inter-American Court") of July 4, 2006, ordering the adoption of provisional measures in favor of the members of the Guatemalan Forensic Anthropology Foundation (hereinafter "FAFG") and others, including Fernando Arturo López Antillón.
2. The communication of August 2, 2007, in which Fernando Arturo López Antillón asked the Inter-American Court to lift the provisional measures ordered in his favor, as part of the FAFG team, because he had not worked with this organization since July 2007.
3. The note of August 10, 2007, in which the Secretariat of the Inter-American Court asked the Inter-American Commission on Human Rights (hereinafter "the Commission" or "the Inter-American Commission") to submit any observations it deemed pertinent on the request to rescind the provisional measures presented by Fernando Arturo López Antillón.
4. The communication of August 14, 2007, in which the Commission indicated that it had no observations to make on the request to rescind the provisional measures in favor of Fernando Arturo López Antillón based on the fact that he had ceased to work with FAFG.
5. The Order of the President of the Inter-American Court of August 21, 2007, in which he decided, in consultation with the judges of the Court, to lift the provisional measures referred to by Fernando Arturo López Antillón.

CONSIDERING:

1. That Guatemala has been a State Party to the American Convention on Human Rights (hereinafter "the 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, at the request of the Inter-American Commission, the Inter-American Court ordered the adoption of provisional measures in favor of the members of FAFG and others, including Fernando Arturo López Antillón (*supra* Having seen paragraph 1).

4. That Fernando Arturo López Antillón asked that the provisional measures in his favor be rescinded, because he no longer worked with FAFG (*supra* Having seen paragraph 2).

5. That the Inter-American Commission did not submit observations on the request to rescind the provisional measures adopted in favor of Fernando Arturo López Antillón (*supra* Having seen paragraph 4).

6. That the Court considered it necessary to adopt provisional measures in favor of the members of FAFG because of the threats they have received, due to the Foundation's work in relation to the identification and recovery of mortal remains. Since Fernando Arturo López Antillón has ceased to work for FAFG, and owing to the request made directly by this beneficiary, the Court finds that it is not necessary to maintain the provisional measures it had ordered in his favor.

7. That, in his Order of August 21, 2007, the President decided, in consultation with the judges of the Court, to rescind these provisional measures as regards Fernando Arturo López Antillón.

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 Articles 25 and 29 of its Rules of Procedure,

DECIDES:

1. To ratify all aspects of the Order of the President of the Court of August 21, 2007, and, consequently, to rescind the provisional measures adopted by the Order of the Inter-American Court of Human Rights of July 4, 2006, in regards to Fernando Arturo López Antillón.

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

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