

**ORDER OF THE PRESIDENT OF THE
INTER-AMERICAN COURT OF HUMAN RIGHTS
OF APRIL 20, 2010**

**CASE OF THE SARAMAKA PEOPLE V. SURINAME
MONITORING COMPLIANCE WITH JUDGMENT**

HAVING SEEN:

1. The Judgment on preliminary objections, merits, reparations, and costs delivered by the Inter-American Court of Human Rights (hereinafter "the Inter-American Court," "the Court," or "the Tribunal") on November 28, 2007, in which it:

DECLARE[D],
Unanimously, that:

1. [t]he State violated, to the detriment of the members of the Saramaka people, the right to property, as recognized in Article 21 of the American Convention on Human Rights, in relation to the obligations to respect, ensure, and to give domestic legal effect to said right, in accordance with Articles 1(1) and 2 thereof, in the terms of the paragraphs 78 to 158 of th[e] [J]udgment.

2. [t]he State violated, to the detriment of the members of the Saramaka people, the right to juridical personality established in Article 3 of the American Convention on Human Rights, in relation to the right to property recognized in Article 21 of such instrument and the right to judicial protection under Article 25 thereof, as well as in connection to the obligations to respect, ensure, and to give domestic legal effect to those rights, in accordance with Articles 1(1) and 2 thereof, in the terms of paragraphs 159 to 175 of th[e] [J]udgment.

3. [t]he State violated, to the detriment of the members of the Saramaka people, the right to judicial protection, as recognized in Article 25 of the American Convention on Human Rights, in conjunction with the obligations to respect and guarantee the rights established under Articles 21 and 1(1) thereof, in the terms of paragraphs 176 to 185 of th[e] [J]udgment.

AND DECIDE[D],
Unanimously, that:

[...]

5. [t]he State shall delimit, demarcate, and grant collective title over the territory of the members of the Saramaka people, in accordance with their customary laws, and through previous, effective[,] and fully informed consultations with the Saramaka people, without prejudice to other tribal and indigenous communities. Until said delimitation, demarcation, and titling of the Saramaka territory has been carried out, Suriname must abstain from acts which might lead [...] agents of the State [...] or third parties acting with its acquiescence or its toleranc[e] to affect the existence, value, use[,] or enjoyment of the territory to which the members of the Saramaka people are entitled, unless the State obtains the free, informed[,] and prior consent of the Saramaka people. With regar[d] to the concessions already granted within traditional Saramaka territory, the State must review the[m] in light of the [...] Judgment and the Court's jurisprudence, in order to evaluate whether a modification of the rights of the concessionaires is necessary in order to preserve the survival of the Saramaka people, in the terms of paragraphs 101, 115, 129-137, 143, 147, 155, 157, 158, and 194(a) of th[e] Judgment[;]

6. [t]he State shall grant the members of the Saramaka people legal recognition of the collective juridical capacity, pertaining to the community to which they belong, with the purpose of ensuring the full exercise and enjoyment of their right to communal property, as well as collective access to justice, in accordance with their communal system, customary laws, and traditions, in the terms of paragraphs 174 and 194(b) of th[e] Judgment[;]

7. [t]he State shall remove or amend the legal provisions that impede protection of the right to property of the members of the Saramaka people and adopt, in its domestic legislation, and through prior, effective and fully informed consultations with the Saramaka people, legislative, administrative, and other measures as may be required to recognize, protect, guarantee[,] and give legal effect to the right of the members of the Saramaka people to hold collective title of the territory they have traditionally used and occupied, which includes the lands and natural resources necessary for their social, cultural[,] and economic survival, as well as manage, distribute, and effectively control [that] territory, in accordance with their customary laws and traditional collective land tenure system, and without prejudice to other tribal and indigenous communities, in the terms of paragraphs 97-116 and 194(c) of th[e] Judgment[;]

8. [t]he State shall adopt legislative, administrative[,] and other measures necessary to recognize and ensure the right of the Saramaka people to be effectively consulted, in accordance with their traditions and customs, or when necessary, the right to give or withhold their free, informed and prior consen[t] with regar[d] to development or investment projects that may affect their territory, and to reasonably share [in] the benefits of [those] projects [...], should the[y] be ultimately carried out. The Saramaka people must be consulted during the process established to comply with this form of reparation, in the terms of paragraphs 129-140, 143, 155, 158, and 194(d) of th[e] Judgment[;]

9. [t]he State shall ensure that environmental and social impact assessments are conducted by independent and technically competent entitie[s] prior to awarding a concession for any development or investment project within traditional Saramaka territory, and implement adequate safeguards and mechanisms in order to minimize the damaging effects such projects may have upon the social, economic[,] and cultural survival of the Saramaka people, in the terms of paragraphs 129, 133, 143, 146, 148, 155, 158, and 194(e) of th[e] Judgment[;]

10. [t]he State shall adopt legislative, administrative and other measures necessary to provide the members of the Saramaka people with adequate and effective recourses against acts that violate their right to the use and enjoyment of property in accordance with their communal property system, in the terms of paragraphs 177-185 and 194(f) of th[e] Judgment[;]

11. [t]he State shall translate into Dutch and publish Chapter VII of the [...] Judgment, without the corresponding footnotes, as well as operative paragraphs one through fifteen, in the State's Official Gazette and in another national daily newspaper, in the terms of paragraphs 196(a) and 197 of th[e] Judgment[;]

12. [t]he State shall finance two radio broadcasts, in the Saramaka language, of the content of paragraphs 2, 4, 5, 17, 77, 80-86, 88, 90, 91, 115, 116, 121, 122, 127-129, 146, 150, 154, 156, 172, and 178 of the [...] Judgment, without the corresponding footnotes, as well as Operative Paragraphs 1 through 15 [t]hereof, in a radio station accessible to the Saramaka people, in the terms of paragraphs 196(b) and 197 of th[e] Judgment[;]

13. [t]he State shall allocate the amounts set in [the] Judgment as compensation for material and non-material damages in a community development fund created and established for the benefit of the members of the Saramaka people in their traditional territory, in the terms of paragraphs 199, 201, 202, 208, and 210-212 thereof[; and]

14. [t]he State shall reimburse [...] costs and expenses, in the terms of paragraphs 206, 207, and 209-211 of th[e] Judgment.

2. The judgment on interpretation of the Saramaka Judgment delivered by the Court on August 12, 2008, in which it:

DECIDE[D],
Unanimously,

1. [t]o declare admissible the State's request for interpretation of the Judgment on preliminary objections, merits, reparations, and costs issued on November 28, 2007 in the *Case of the Saramaka People*, pursuant to paragraph 10 of th[e] Judgment.

2. To determine the scope of the content of Operative Paragraphs 5 through 9 of the Judgment on preliminary objections, merits, reparations, and costs issued on November 28, 2007 in the *Case of the Saramaka People*, pursuant to chapters IV, V, VI, and VII of th[e] Judgment.
[...]

3. The report submitted on August 6, 2009, whereby the State informed the Court on its compliance with the Judgment, and the communication of November 17, 2009, whereby the State submitted "three (3) additional documents [relating] to [its] [f]irst [periodic] [r]eport."

4. The communication submitted on September 12, 2009, whereby the representatives presented their observations to the State's report with corresponding annexes (*supra* Having Seen 3).

5. The communication submitted on December 3, 2009, whereby the Inter-American Commission on Human Rights (hereinafter "the Commission" or "the Inter-American Commission") presented its observations to the State's report (*supra* Having Seen 3).

Considering:

1. The monitoring of compliance with its decisions is a power inherent to the judicial functions of the Court.

2. Suriname became a State Party to the American Convention on Human Rights (hereinafter "the Convention") and recognized the jurisdiction of the Court on November 12, 1987.

3. Pursuant to Article 68(1) of the American Convention, "[t]he State Parties to the Convention undertake to comply with the judgment of the Court in any case to which they are parties." Therefore, State Parties must ensure that the rulings set out in the decisions of the Court are implemented at the domestic level.¹

4. Given the final and not-subject-to-appeal nature of the Court's judgments as established by the provisions of Article 67 of the American Convention, said judgments are to be promptly and fully complied with by the State within the term set for this purpose.

5. The obligation to comply with the rulings of the Court conforms to a basic principle of law regarding the international responsibility of the State. That is, States

¹ Cf. *Case of Baena-Ricardo et al. v. Panama. Competence*. Judgment of November 28, 2003. Series C No. 104, para. 131; *Case of Barrios Altos v. Peru. Monitoring Compliance with Judgment*. Order of the Court of December 7, 2009, Considering clause No. 3, and *Case of Las Palmeras v. Colombia. Monitoring Compliance with Judgment*. Order of the Court of December 7, 2009, Considering clause No. 4.

must comply with their international treaty obligations in good faith (*pacta sunt servanda*) and, as this Court has previously stated and is set forth in Article 27 of the Vienna Convention on the Law of Treaties of 1969, they cannot invoke their municipal laws to escape their pre-established international responsibility. The State Parties' obligations under the Convention bind all State branches and organs.²

6. The States Parties to the Convention must guarantee compliance with the provisions thereof and their effects (*effet utile*) at the domestic-law level. This principle applies not only in connection with the substantive provisions of human rights treaties (*i.e.*, those addressing the protected rights), but also in connection with their procedural provisions, such as those concerning compliance with the Court's decisions. These obligations are to be interpreted and enforced in a manner such that the protected guarantee is truly practical and effective, considering the special nature of human rights treaties.³

7. The State Parties to the Convention have also recognized the binding jurisdiction of the Court have the duty to comply with the obligations established by it. Accordingly, Suriname shall adopt all necessary measures to give effect to the Court's decisions of November 28, 2007 (*supra* Having Seen clause No. 1). This obligation includes the duty to inform the Court about the actions adopted to comply with the reparations ordered by the Court, which are pending fulfillment.

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8. That regarding the State's obligation to "delimit, demarcate, and grant collective title over the territory of the members of the Saramaka people, in accordance with their customary laws, and through previous, effective[,] and fully informed consultations" with the Saramaka people, the State affirmed that it "[attempts] to implement [changes] as much as possible in harmony and full consensus with the petitioners[.]" and also noted that "regular consultations[, dates unspecified,] are held with the representatives of the petitioners, in this case the Association of Saramaka Authorities (VSG). It also informed that on "June 2008 a *grankrutu* meeting was held in Pikin Sloc to inform the Saramaka communities about the judgment of the Court." The State assured that it is "undertak[ing] specific steps[, without further elaborating,] to address the issue of the recognition of tribal rights in as broad as balanced a manner as possible from the viewpoint of sustainability and cultural and ethnic tolerance." Moreover, the State informed that because "Surinamese society knows many tribal groups that reside together[, t]he [State] is pursuing an integral approach." In that regard, it informed that "[t]he project Support for the Development of the Interior [(hereinafter the "SSDI project"))] [will be in charge of] the legal framework, collective rights, delimitation and demarcation of the living areas of the tribal communities; creating the conditions

² Cf. *International Responsibility for the Promulgation and Enforcement of Laws in Violation of the Convention (Arts. 1 and 2 of the American Convention on Human Rights)*. Advisory Opinion OC-14/94 of December 9, 1994. Series A No. 14, para. 35; *Case of La Cantuta v. Peru. Monitoring Compliance with Judgment*. Order of the Court of December 7, 2009, Considering clause No. 5, and *Case of Cantoral-Benavides v. Peru. Monitoring Compliance with Judgment*. Order of the Court of July 9, 2009, Considering clause No. 5.

³ Cf. *Case of Ivcher-Bronstein v. Peru. Competence. Judgment of September 24, 1999*. Series C No. 54, para. 37; *Case of La Cantuta v. Peru*, *supra* note 2, Considering clause No. 6, and *Case of Cantoral Benavides v. Peru*, *supra* note 2, Considering clause No. 6.

for sustainable solution[s].” The SSDI project, funded by the Inter-American Development Bank (hereinafter “IADB”), “has as one of its objectives the drafting of legislation on the rights of indigenous and tribal peoples.”

9. The representatives informed that no steps have been taken to delimit, demarcate, and title Saramaka territory, “nor has the State sought to formally consult with the Saramaka about the regularization of their territory.” In fact, “[t]he Saramaka wr[ote] the State [on March 13, 2008] to seek a meeting on this subject [...] but have [not yet] receive[d] a formal response.”

10. The Commission “note[d] that the State did not submit information regarding how [the SSDI project] has or will have a direct effect in the present case.” In addition, the Commission observed that “the State has not taken any steps to comply with this measure of reparation [and as such] request[ed] the [State provide] specific information [regarding] the measures to be carried out, with due consultation, along with a timeline for the[ir] implementation.”

11. Providing sufficient information on compliance with the Judgment is a duty of the State, repeatedly stated by this Court.⁴ In this regard, the President considers that the Court requires more information regarding the SSDI project and or other steps it has taken to delimit, demarcate and grant collective title to the Saramaka people.

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12. With regard to the State’s obligation to grant the members of the Saramaka people legal recognition of the collective juridical capacity pertaining to the community to which they belong so as to ensure full exercise and enjoyment of their right to communal property and collective access to justice, the State has not informed on this particular obligation.

13. The representatives observed that “[t]he State has not complied with this order to date, nor has it commenced any consultation with the Saramaka on how to comply.”

14. The Commission “respectfully request[ed] that the Court require that the State provide more specific information in this regard.”

15. The President considers that the Court does not have sufficient data regarding the steps the State will take to effectively grant the members of the Saramaka people legal recognition, to which it requests the State provide said information.

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16. Regarding the removal or amendment of the legal provisions that impede protection of the right to property of the members of the Saramaka people and the

⁴ Cf. *Case of Neira Alegria et al v. Peru. Monitoring Compliance with Judgment*. Order of the Court of November 28, 2002, Considering clause No. 9; *Case of Cantoral-Benavides v. Peru*, *supra* note 2, Considering clause No. 20, and *Case of Palamara-Iribarne v. Chile. Monitoring Compliance with Judgment*. Order of the Court of November 30, 2007, Considering clause No. 7.

adoption, through consultations, legislative, administrative, and other measures as may be required, the State point[ed] to the creation of the “[t]he [SSDI] project].” (*supra* Considering Clause no. 8). In addition, for “smooth implementation of the judgment[, the State created an Executive Committee] comp[rised of]: [a] representative [of the] Ministry of Regional Development[, Ministry of Justice and police[, representative President of Suriname[, and the] Ministry of Physical Planning.”

17. The representatives informed the following regarding the State’s compliance with Operative Paragraph 7, *inter alia*:

a) “Suriname has requested support from the [UN] Special Rapporteur on the rights and fundamental freedoms of indigenous people [...] to draft the [relevant] legislation[, and that t]his was welcomed and endorsed by the UN Committee on the Elimination of Racial Discrimination [and] the Saramaka people.” Nevertheless, the representatives “note that the request to the Special Rapporteur primarily [relates to] the drafting of a new legislative framework without explicitly mentioning the amendment of existing laws.”

b) The State has also simultaneously implemented “an IADB-funded project[, the SSDI project, run by an NGO called the Amazon Conservation Team of Suriname, to draft] legislation on the rights of indigenous and tribal peoples.” The representatives have expressed worry regarding the minimal experience of this NGO in “devising legislation and regularizing indigenous and tribal peoples’ rights[; the possible] “impartiality and independence” of this organization[; the] reject[ion] by the Association of Indigenous Village Leaders, the national indigenous peoples’ organization, and the Saramaka people themselves[of this attempt, and] the existence of two potentially contradictory drafting processes [which] may lead to confusion and further delays in enacting the much needed legislation.” Lastly, “[c]onsidering that Suriname is to have implemented the Court’s orders by December 2010, [the representatives express that] there are justifiable concerns [given general elections scheduled for mid-2010 and the legislative delays associated with the disruptions of the election process] that this deadline will [not] be met.”

18. The “Commission consider[ed] the State’s reported decision to consult UN Special Rapporteur to be a positive development.” However, the Commission expressed worry “that there may be a parallel drafting of legislation on the rights of indigenous and tribal peoples[, and as such] requ[ested] the State provide detailed information in that regard.”

19. The President considers that the Court requires detailed information regarding the status of drafted and pending legislation and asks the State to address the noted concerns of the representatives and Commission.

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20. With regard to the adoption of legislative, administrative, and other measures necessary to recognize and ensure the right of the Saramaka people to be effectively consulted, the right to give or withhold their free, informed, and prior consent regarding development or investment projects that may affect their territory, and to reasonably share in the benefits of these projects, the State has created the SSDI

project (*supra* Considering clause No. 8) to satisfy this obligation, yet has not further informed on other developments.

21. The representatives and Commission discussed this obligation in relation to Operative paragraph 7 (*supra* Considering Clauses 17 and 18) and informed the following in relation to Operative Paragraph 8, specifically, *inter alia*:

a) The representatives “are not aware of any efforts [...] to review concessionaries within Saramaka territory and [inform that these mining and logging] concessions require review and potential modification[,] includ[ing] an assessment of benefit sharing measures that may be required in relation to these activities should they be deemed acceptable according to the criteria specified by the Court.” The Saramaka currently await the response of the State regarding its intentions to review concessions, in order to efficiently “facilitate communication with the relevant land owning entities.”

b) The victims representatives “observe that the State [in May 2008] may have formally authori[z]ed the laying of an all-weather asphalt surface on the main road [...] that connects Saramaka territory to Paramaribo[, without] formal[ly] consult[ing] with the Saramaka people about the process [in] direc[t] contraven[tion with] the extensive requirements set forth by the Court” and with no information if an environmental and social impact assessment [(hereinafter “ESIA”)] has been conducted in relation to the project. Nevertheless, the representatives have stated that while the “Saramaka are not necessarily opposed to the [...] road, they [are] concern[ed] that the Court’s judgment is respected and that any negative environmental, cultural, and social impacts related to the upgrading of the road are adequately assessed and effectively mitigated.”

22. The President considers that the Court requires detailed information regarding the specific steps the State will adopt in order to satisfy this obligation in a timely manner. Likewise, the President requires more information regarding the current road project in Saramaka territory to assure the Saramaka people are fully informed regarding projects which affect the use and enjoyment of their land and compliance with the Courts Judgment.

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23. With regard to the State’s obligation to ensure ESIA’s prior to awarding concession for any development project and to implement adequate safeguards and mechanisms in order to minimize the damaging effects of such projects, the State has not yet informed on this obligation.

24. The representatives “observe[d] that Suriname has yet to adopt legislation requiring ESIA’s, although assessments are sometimes undertaken notwithstanding the lack of an applicable legal framework, and there are no applicable remedies should the State fail to require an ESIA.” Moreover, according to the representatives, the State has authorized a road project affecting Saramaka territory and has “failed to consult with the Saramaka [people], with respect for their traditions and culture or otherwise and has neither involved [nor informed] them [of]

the ESIA process." The representatives emphasized that "the Saramaka have not been afforded the opportunity [...] to effectively participate in decision-making about th[e] road project, including to give their consent [...] and to assess for themselves its potential risks and benefits".

25. The Commission considered that the State is not complying with the order of the Inter-American Court. Consequently, the Commission "respectfully request[ed] that the Court request the State to provide information on steps being taken in that regard."

26. The President considers that the Court requires more information regarding developments and investment projects being considered and currently authorized within Saramaka territory and their corresponding ESIA's and the entities used to conduct such assessments.

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27. With respect to the adoption of legislative, administrative, and other measures necessary to provide the members of the Saramaka people with adequate and effective recourses against acts that violate their right to the use and enjoyment of property, the State has not informed on this obligation.

28. The representatives informed that the State "as with the other legislative measures ordered by the Court, [has] thus far not complied with this order [nor] has it held any consultations with the Saramaka people in this regard."

29. The Commission alleged the lack of "sufficient information regarding this measure of reparation, and therefore respectfully request[ed] that the Court require the State to provide more information."

30. The President requests the State to provide the Court with information with respect to the adoption of legislative, administrative and other measures necessary to the benefit of the Saramaka people.

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31. With regard to the translation into Dutch of Chapter VII of the Judgment as well as the mentioned operative paragraphs in the State's Official Gazette and other national daily newspaper and the financing of two radio broadcasts, the State has not informed on this obligation.

32. The victims representatives and the State agreed to collaborate in the implementation of the translation into Dutch of parts of the judgment and in its publication. In particular, the representatives agreed to "translate the judgment into Dutch and make a recording of the relevant sections in the Saramaka language." To date, "the State has verified and endorsed [the completed translations,] subject to a few minor formatting amendments that are still pending with regard to the Dutch translation". According to the representatives, "once these have been completed, it is expected that the State will comply with the publication of the Court's order."

33. The "Commission welcome[d] the efforts to comply with this order of the Court and is looking forward to receiving updated information from Suriname."

34. The President requests the State to provide the Court with information regarding this order and, particularly, the pending date of publication and radio broadcast of the Court order.

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35. With regard to the obligation to allocate compensation for material and non-material damages in a community development fund created for members of the Saramaka people, the State informed, *inter alia*:

a) The State aspired to create "an implementation committee consisting of 3 members: [one representative of the Saramaka; one of the State; and the other designated by both groups] to [m]ake the implementation at hand," to which, the State subsequently affirmed the creation of an "Executive Committee [consisting of 5 appointed members of State ministries to guarantee] the smooth implementation of the judgment[; and]"

b) The State indicated that "an amount of US\$225,000 [...] will already be transferred in [2008, and] the remaining amount [of the total amount of US\$675,000 of development fund] w[ould] be made in the years 2009 and 2010," and decided "to make available at the expense of the budget of the Ministry of Finance [...] an amount of SRD 630,000 to the Development Fund not yet established. As such, the State informs that "[a]lthough part of the first partial deposit for the development fund was already released, the funds [could not] be transferred because the fund has not yet been officially established."

36. The representatives informed that "the community development fund has not been formally established [and that] the first and second installments of the funds have not been disbursed. Furthermore, the representatives observed that "the members of the fund have however been identified and agreed by the parties."

37. The "Commission observe[d] that the State has taken some positive steps[, h]owever, [points out that] the State did not submit information as to how and when the fund will start working. Accordingly, the Commission respectfully request[ed] the Court [r]equire that the State provide the requisite information."

38. The President requests the State inform the Court of the current status of the Development Fund and its establishment. In addition, the President requests an accounting of all relevant monetary transfers, previous, current, and pending, regarding payment of material and non-material damages.

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39. Regarding reimbursement of costs and expenses, the State acknowledged it would make payment "at the current international exchange rate[, in U.S. dollars] or at the equivalent counter value[, with] no tax imposed[, and] that [...] a penalty interest w[ould] be imposed [if the terms were not maintained.]" On January 26, 2009, the State decided "to make available at the expense of the budget of the Ministry of Finance [...] an amount of SRD 42,000 [...] to the organization Forest Peoples Programme, [and] an amount of SRD 196,000 [...] to the organization

Association of Saramaka Authorities." Subsequently, the State informed on August 6, 2009, that its "financial obligations arising out of the [J]udgment[, specifically the] [p]ayment of USD 15,000 [for] compensation of expenses to the [F]orest [P]eoples Program[me] [and the] [p]ayment of USD 75,000 [for] compensation of expenses to the VSG" has been fulfilled.

40. The victims' representatives informed that "these costs have been transferred by the State and received." As such, they "consider that the State has complied with this order, albeit not within the time frame set by the Court."

41. The "Commission recognize[d] and values this measure of compliance. However, the Commission note[d] that there is contradiction concerning the total payments." As such, the Commission "ask[ed] the Court to require the parties to clarify if the payments have been paid in [full]."

42. The President acknowledges the State's "[p]ayment of USD 15,000 [...] to the Forest People's Programme [and] [p]ayment of USD 75,000 [...] to the VSG," yet requests that the State verify the alleged contradictions indicated by the Commission (*supra* Considering clause No. 41).

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43. With regards to the supervision of compliance with the judgments and other decisions, Article 69 of the Rules of Procedure states:

1. The procedure for monitoring compliance with the judgments and other decisions of the Court shall be carried out by means of the submission of reports by the State and observations to those reports by the victims or their legal representatives. The Commission shall present observations to the State's reports and to the observations of the victims or their representatives.
2. The Court may require from other sources of information relevant data regarding the case in order to evaluate compliance therewith. To that end, the Tribunal shall also require expert declarations or reports it considers appropriate.
3. When it deems appropriate, the Tribunal may convene the parties to a hearing in order to monitor compliance with its decisions.
4. Once the Tribunal has obtained all the relevant information, it shall determine the state of compliance with its decisions and issue the pertinent orders.

44. In the instant case it is pertinent and necessary to convene the State, the Commission, and the representatives to a private hearing for the Court to receive complete and updated information from the State regarding compliance with the Judgment, as well as the respective observations and comments from the Commission and the representatives.

Therefore:

The President of the Inter-American Court of Human Rights,

in accordance with Articles 33, 67 and, 68(1) of the American Convention on Human Rights, Articles 24(1), 25(1) and 25(2) of the Statute of the Court, and Articles 4, 15(1), 31 and 69 of its Rules of Procedure,

Decides:

1. To convene the Inter-American Commission, the representatives of the victims, and the State to a private hearing that will take place at San José, Costa Rica on May 26, 2010, starting at 9 a.m. up to 10:30 a.m., during its LXXXVII Ordinary Period of Sessions, in order to receive complete and updated information from the State on the actions taken in compliance with the Judgment issued in this case, as well as the observations from the representatives and the Commission.
2. To require the Secretariat of the Court to serve notice of the present Order on the State, the Inter-American Commission on Human Rights, and the representatives of the victims.

Diego García-Sayán
President

Pablo Saavedra Alessandri
Registrar

So ordered,

Diego García-Sayán
President

Pablo Saavedra Alessandri
Registrar