

**ORDER OF THE
INTER-AMERICAN COURT OF HUMAN RIGHTS
OF NOVEMBER 24, 2010**

PROVISIONAL MEASURES REGARDING VENEZUELA

**MATTER OF THE ARAGUAN CORRECTIONAL FACILITY
"TOCORÓN PRISON"**

HAVING SEEN:

1. The brief of the Inter-American Commission on Human Rights (hereinafter "the Inter-American Commission" or "the Commission") of October 18, 2010 and attachments whereby it submitted to the Inter-American Court of Human Rights (hereinafter "the Inter-American Court," "the Court," or "the Tribunal") a request for provisional measures pursuant to Article 63(2) of the American Convention on Human Rights (hereinafter "the American Convention" or "the Convention") and Article 27 of the Rules of Procedure of the Court (hereinafter "the Rules of Procedure") with the aim of ensuring that the Bolivarian Republic of Venezuela (hereinafter "the State" or "Venezuela") protect the lives and physical integrity of the inmates and other persons present in the Araguan Correctional Facility, also known as Tocarón prison.

2. The alleged facts upon which the Commission's request for provisional measures is based, to wit:

a) Tocarón prison is located on the National Highway of Villa de Cura in Tocarón, Aragua State, and has a capacity of 750 along with a female wing. According to information provided by the Commission, at the end of August 2010 the total population of the prison was 3,211, resulting in overcrowding of some 300% percent;

b) in the last three years incidents of intra-prison violence have increased: in 2008, 28 inmates died; in 2009, 26 perished; and during the first half of 2010, 30 inmates had already lost their lives;

c) according to media reports, the deaths were mainly a consequence of riots among inmates, the central reason for the fights being internal control of the prison. Factors aggravating the situation include the lack of effective control over the prison and arms trafficking that, despite raids, continue unabated in the absence of effective, sustainable measures that would help to identify the causes underlying the re-arming of the prison population;

d) from September 27-29, 2010, a riot in the prison left 16 inmates dead and between 36 and 46 wounded. During this incident, firearms were discharged and eight grenades were detonated. According to available information, Venezuela responded by mobilizing 1,800 National Guard troops to maintain control and allegedly provide security to the inmates. Furthermore, groups made up of inmates' family members began protesting outside the prison in order to obtain information on the events. Owing to a hunger strike in several State correctional facilities, on October 1, 2010 a formal dialogue was commenced aimed at providing an exit for the National Guard troops;

e) on October 10, 2010, another inmate was found dead from a stab wound; and,

f) among the conditions that "create, propitiate, and maintain an environment of extreme violence," reference was made to "overcrowding, physical and psychological abuse, the lack of professional personnel inside the prison, internal trafficking of drugs and weapons, the lack of an inmate classification system, delays in inmates' legal proceedings, and the dismal state of the prison's physical infrastructure [...] to which one could also add the [inmates'] terrible sanitary and nutritional state, the dearth of attention to their needs, and the absence of any sort of rehabilitative activities."

3. The Commission's legal arguments forming the basis for its request for provisional measures in which it noted:

a) the incidents of violence occurring inside this facility over the last two years have claimed the lives of dozens of people. Of particular concern is the increase in the rate of dead and wounded inmates in 2010 compared to 2009, which evinces a situation of extreme gravity and urgency and the need to avoid irreparable harm to the inmates and other persons present in Tocarón prison. From the available information, it is clear that the State of Venezuela has not taken effective steps to protect the lives and right to humane treatment of the potential beneficiaries, nor to stop the trafficking of weapons inside the prison;

b) the violent deaths of at least 16 inmates and the wounds caused to more than 30 people during the events of September 27-29, 2010 demonstrate the urgency of taking immediate steps to preserve the lives and right to humane treatment of the potential beneficiaries; and

c) the State of Venezuela's response to this situation centered on a military operation without adequate or sustainable measures or properly-trained prison personnel to effectively counter this crisis of violence. The absence of these measures is reflected in the continuity of deaths as a consequence of internal disputes, the last of which was recorded on October 10, 2010.

4. The Inter-American Commission's motion that the Court, on the basis of Article 63(2) of the American Convention and Article 27 of the Rules of Procedure, require that the State:

- a) implement provisional measures to protect the lives and right to humane treatment of the inmates and other persons present in the correctional facility; and
- b) engage all necessary efforts to gain effective control of the prison, in strict adherence to the inmates' human rights, in order to eliminate the high indicia of overcrowding that give rise to acts of violence, as well as to identify and effectively respond to the causes that permit arms trafficking inside the prison itself.

5. The Secretariat's notes of October 20, 2010 whereby, pursuant to Article 27(5) of the Rules of Procedure of the Tribunal, the State was asked to submit its relevant observations on the request for provisional measures, as well as any other documentation it deemed pertinent by October 27, 2010. At the present time, the Tribunal has received no such information.

6. The Order of the President of the Tribunal of November 1, 2010 (hereinafter "the Order of the President"), in which he decided:

1. To require that the State immediately and definitively adopt such measures as may be necessary and effective to avoid loss of life and damage to the physical, mental, and moral integrity of all the individuals incarcerated in the Araguan Correctional Facility, also known as Tocarón prison, as well as any other persons who may be found therein.

2. To request that the State submit a first report by November 12, 2010 on the measures it has adopted in compliance with this Order and to request that the representatives of the beneficiaries and the Inter-American Commission on Human Rights present their observations on the State's report within five and seven days, respectively, from the date of service of the same.

7. The State's brief of November 2, 2010 in which it noted that:

- a) although the Araguan Correctional Facility is "an establishment for serving time," it is "the facility with the [second] largest number of pre-trial detainees" with 640 convicted prisoners and 2,525 detainees. As of October 26, 2010, the facility had a population of 3,210 inmates of which 215 are women and 2,995 men. It also maintains a personnel of 152 workers assigned to different areas, among which are overall health, crime control, system, logistics, administrative support, custodians, etc. The State has taken specific steps in order to reduce overcrowding in this facility; however, "the total population has not substantially lessened";
- b) during 2008, 28 violent deaths occurred; in 2009, the number of inmates who perished due to acts of violence was 22; and during the first half of 2010, 26 inmates lost their lives due to violence and four due to sickness unrelated to the violence. Furthermore, eight of the persons mentioned in the information submitted by the Commission "are not part of the data" in the State's possession;
- c) the situations arising in the Araguan Correctional Facility, in terms of persons wounded and killed, are in large part a matter of "isolated events that are not the result of riots or disputes, but rather particular situations among inmates" with the exception of the events of September 27, 2010 in which a conflict between two groups of inmates resulted in a confrontation between them. Regarding that occurrence, in addition to deterioration of the facilities, from September 27-29 of this year 16 inmates died and 37 were wounded;
- d) the aforementioned situation "deserve[d] a well-planned, peaceful capture on the part of the authorities." Over the course of 72 hours and with the support of the

Bolivarian National Guard of Venezuela, an inspection of the entire area was undertaken, leading to the discovery of contraband. The female wing was not the target of the search. Furthermore, during the aforementioned capture, daily food and water rations were delivered to the inmate population; medical attention was provided to the wounded; and the dead were removed by the Corps of Scientific, Penal, and Criminal Investigations ("CICPC"). By means of dissuasion, dialogue, and persuasion, it was not necessary to utilize weapons or violence to enter into the facility;

- e) following these events, working sessions were held together with spokespersons from the inmate community, State authorities, and a group of family members. After these meetings, various activities were conducted including receipt, verification, and updating of records; recovery of damaged areas; trash collection; psychosocial evaluations; and legal assessments of inmates to determine their legal situation and the status of their fulfillment of the requirements for the provision of measures alternative to compliance with the sentence;
- f) the external custody and the control of the entrance to the Araguan Correctional Facility are under the auspices of approximately 60 officers of the Bolivarian National Guard. These officers monitor the security perimeter by way of 14 checkpoints and have established methods to control the facility's entrance and exit. The Ombudsman is also present during visiting days in order to monitor all matters related to the entrance and exit of the inmates' family members;
- g) after the aforementioned capture of the facility, the health services area was strengthened so as to provide better care for inmates. Additionally, at present a total of 749 inmates take part in educational activities at this correctional facility; and
- h) "historically, the media have [sought to] discredit the State's function in correctional matters" and "have engaged in value-laden coverage of negative events that are associated with an already complex correctional system." The recent happenings in the Araguan Correctional Facility were no exception.

8. The observations presented by the Inter-American Commission in its November 12, 2010 brief in which it stated that "the State of Venezuela did not report on immediate measures to preserve life or human treatment [... but rather] on general measures in the median and long term that are not directly related to the dangers present in this correctional facility." The Commission also observed that the State "did not dispute [the fact that] in the years 2008, 2009, and 2010 violent deaths occurred in the facility," where the State has special protection obligations in its capacity as guarantor. Regarding the riot that began on September 27, 2010, a situation that could have been controlled by the State, the Commission assessed the information provided by the State but stressed that "the State's intervention has failed to remedy the structural problems of violence that have led to loss of life and violations to the right of humane treatment of dozens of inmates in recent years at Tocorón prison[,] and [these violations] continue to occur." According to the Commission, the proffered information regarding the manner in which the media have covered the situation in Venezuelan prisons "is not at all relevant to an analysis of the elements of extreme gravity, urgency, and the need to avoid irreparable harm." In conclusion, the Commission requested that the Court ratify the urgent measures ordered by the President of the Tribunal.

9. The brief of November 19, 2010 whereby Mr. Humberto Prado, Coordinator of the Venezuelan Prison Observatory, the representatives of the beneficiaries, indicated that:

- a) the representatives recognize the actions undertaken by the State to "improve the living conditions of incarcerated person in Venezuelan correctional facilities"; however, they stated that "[these actions] have been neither sufficient nor conclusive" because the problems have grown more acute;
- b) in Tocorón prison, the holding capacity of the male wing is 750, which according to the total population figure provided by the State translates into overcrowding of around 399.33% without any sort of due classification or separation of inmates. As a consequence, areas designated for social rehabilitative activities have been instead utilized to house inmates. Furthermore, the representatives highlighted that the number of persons awaiting trial is greater than those who have been convicted; thus, the State must promote a more speedy legal process;
- c) the State hopes to ignore the deaths caused by illness by classifying them as non-violent despite the fact that, no matter the cause, manner, or condition of death, these people were under the protection of the State. Of the four deaths mentioned as being non-violent, three were due to sicknesses that could only become deadly if not attended to or properly checked by medical personnel. The remaining case of death by sickness could have been anticipated if the proper access to medical care had existed;
- d) the number of wounded and dead as a consequence of the events of late September 2010 is greater than that indicated by the State, and at the present time individuals remain in the infirmary for serious injuries who have not been provided due medical care. Thus, the representatives moved that the State be urged to provide medical equipment, medicine, and qualified personnel to attend to the elevated number of sick and wounded;
- e) regarding the inspection mentioned by the State which "last[ed] until the beginning of October," the inmates remarked that "one (1) tank and six (6) armored vehicles arrived at the prison. Once the officials entered the facility, the inmate population was taken to fields located at the rear part of the building where the prisoners were left outdoors over the course of three days without protection from the sun or rain for 12 hours a day, except for September 30th when they remained there from six in the morning to nine at night." During that time "the entire population was on its feet," and "the water and food supplies were scarce and in poor condition." The so-called "buggies" - improvised spaces for inmates to stay the night and keep their possessions - "were destroyed by the troops that conducted the search [...], seizing the inmates' belongings." Furthermore, the shed and workshop area were "set alight by these same officials, burning with them the facilities and all the belongings of the inmates who slept there";
- f) working groups were held with spokespersons from the inmate community and representatives of the State government, the National Directorate of Corrections, the

Ombudsman, and the Attorney General, among others. On October 18, 2010, a second meeting was held in which Mr. Humberto Prado, representative of the Venezuelan Prison Observatory, was denied entrance. The representatives made reference to what was agreed upon in these meetings and their results;

- g) Health Day was held "only once." Regarding educational programs, the inmates attested that up until November 10, 2010 "classes ha[d] not begun";
- h) the information provided by the State "does not contribute real solutions to the ongoing problems at [Tocorón prison]." It is evident that deterioration of the facility has occurred because of a lack of proper maintenance, together with the sheer number of inmates that, according to the State's brief, is certainly greater than the facility's capacity; furthermore, there is a total absence of duly qualified and trained personnel to maintain security in the facility "in strict observance of human rights"; and
- i) given the impossibility for the representatives of the beneficiaries to enter *qua* representatives to verify the actions undertaken by the State, they opted to enter as common visitors, subjecting themselves to the inspection procedures as conducted by the National Guard, Aragua State Police, and prison guards. The representatives requested that the State be reminded of its duty to cooperate with the representatives in the planning and implementation of these measures.

CONSIDERING:

1. Venezuela became a state party to the American Convention on August 9, 1977, and in accordance with Article 62 of the Convention, recognized the contentious jurisdiction of the Court on June 24, 1981.

2. Article 63(2) of the American Convention provides that, "[i]n cases of extreme gravity and urgency, and when necessary to avoid irreparable damage to persons, the Court shall adopt 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. In the terms of Article 27 of the Rules of Procedure of the Court¹:

1. At any stage of proceedings involving cases of extreme gravity and urgency, and when necessary to avoid irreparable damage to persons, the Court may, on its own motion, order such provisional measures as it deems appropriate, pursuant to Article 63(2) of the Convention.

¹ Rules of Procedure of the Court approved during its LXXXV Regular Session held from November 16-28, 2009.

2. With respect to matters not yet submitted to it, the Court may act at the request of the Commission.

[...]

4. The provision established in Article 63(2) of the Convention confers an obligatory character to the State's adoption of the provisional measures ordered by this Tribunal, as the basic legal principal of international State liability, supported by international jurisprudence, provides that States must fulfill their treaty obligations in good faith (*pacta sunt servanda*).²

5. The present request for provisional measures is not related to a case currently before the Court, but rather originated in information presented before the Inter-American Commission by the Venezuelan Prison Observatory. For this reason, the President does not have information concerning whether the facts before the Tribunal make up part of a contentious case proceeding in the Inter-American system, nor whether a complaint on the merits related to this request may have been lodged before the Inter-American Commission.³

6. In international human rights law, provisional measures are not only of a precautionary nature, in the sense that they preserve a legally cognizable situation, but also a fundamentally protective one as they seek to safeguard human rights and avoid irreparable damage to persons. The measures are applied as long as the basic requirements of extreme gravity, urgency, and the need to prevent irreparable harm to persons are met. Thus, provisional measures are transformed in a true jurisdictional guarantee of a preventive nature.⁴

7. The Court finds it necessary to clarify that, in view of the precautionary character of provisional measures, it is possible to order them - even when a contentious case does not currently exist in the Inter-American system - in exceptional circumstances that, *prima facie*, may result in a serious and urgent harm to one's human rights. To that end, the Court shall undertake an assessment of the problem posed, the effectiveness of State actions in response to the situation described, and the degree of defenselessness in which

² Cf. *Matter of James et al.* Provisional Measures regarding Trinidad and Tobago. Order of the Inter-American Court of Human Rights of June 14, 1998, Considering clause six; *Matter of the Communities of Jiguamiandó and Curbaradó.* Provisional Measures regarding Colombia. Order of the Inter-American Court of Human Rights of August 30, 2010, Considering clause four; and *Matter of Alvarado Reyes et al.* Provisional Measures regarding Mexico. Order of the Inter-American Court of Human Rights of May 26, 2010, Considering clause five.

³ Cf. *Matter of Guerrero Larez.* Provisional Measures regarding Venezuela. Order of the Inter-American Court of Human Rights of November 17, 2009, Considering clause six; and *Matter of Natera Balboa.* Provisional Measures regarding Venezuela. Order of the Inter-American Court of Human Rights of February 1, 2010, Considering clause five.

⁴ Cf. *Case of "La Nación" Newspaper.* Provisional Measures regarding Costa Rica. Order of the Inter-American Court of Human Rights of September 7, 2001, Considering clause four; *Matter of the Communities of Jiguamiandó and Curbaradó,* *supra* note 2, Considering clause five; and *Case of Caballero-Delgado and Santana.* Provisional Measures regarding Colombia. Order of the Inter-American Court of Human Rights of February 3, 2010, Considering clause four.

the persons requesting such measures would find themselves were the measures not adopted. To achieve this objective it is necessary that the Inter-American Commission present sufficient grounds addressing the aforementioned criteria and that the State not be able to clearly and effectively demonstrate the effectiveness of any measures it may have adopted domestically.⁵

8. Article 63(2) of the Convention requires the concurrence of three conditions in order for the Court to be able to order provisional measures: i) "extreme gravity"; ii) "urgency"; iii) and the need to "avoid irreparable harm to persons." These three conditions coexist and must be present in all instances in which the Tribunal's intervention is sought.⁶

9. From the information furnished by the Commission, it is apparent that the events occurring in Tocarón prison (*supra* Having Seen 2), demonstrate a *prima facie* situation of extreme gravity, urgency, and possibly irreparable harm to the rights to life and humane treatment of the inmates and others who may enter this correctional facility. In particular, the extreme significance and intensity of the risk derive from information tending to show that from 2008 until the first half of this year several acts of violence occurred, leaving between 76 and 85 dead (*supra* Having Seen 2(b) and 7(b)). Likewise, 16 inmates died in September of this year and, according to the information provided by the Commission, the State, and the representatives, between 36 and 46 people were wounded as a product of a violent riot occurring on September 27-29 in which firearms were discharged and grenades were detonated (*supra* Having Seen 2(d), 7(c), and 9(d)). Recently, in October 2010, another inmate met a violent end (*supra* Having Seen 2(e)). The Commission also highlighted the lack of control regarding firearms smuggling and the possession of these weapons inside the facility, while the State noted that in the "peaceful capture" of the correctional facility inspections of the entire area resulted in the discovery of contraband. For their part, the representatives maintained that during these aforementioned events, the inmates' belongings were seized. Furthermore, in the inmates' sheds and workshops, which were set alight by the authorities, "all the belongings of the inmates who slept therein" were also burned (*supra* Having Seen 2(c), 7(d), and 9(e)). In addition, the Commission stressed the statistics on dead and wounded inmates recorded in the Venezuelan prison system over the past several years and concluded that "Venezuelan prisons continue to be the most violent in the region." Similarly, the representatives highlighted increases in the number of dead and wounded, a fact which "continues to be a constant feature of Venezuelan prisons." On the other hand, the State expressed the sentiment that "it will not rest until consolidation of the Venezuelan prison system is achieved with the broadest possible participation." In this regard, the representatives recognized the actions undertaken by the State in order to humanize the prison system. However, they noted that "[these actions] have been neither sufficient nor conclusive" as the problems have only grown more acute.

10. According to information provided by the Commission, the representatives, and the State, the latter has taken specific steps in order to protect the lives and physical integrity

⁵ Cf. *Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center*. Provisional Measures regarding Venezuela. Order of the Inter-American Court of Human Rights of February 8, 2008, Considering clause nine; and *Matter of Guerrero Larez*, *supra* note 3, Considering clause eight.

⁶ Cf. *Case of Carpio Nicolle et al.* Provisional Measures regarding Guatemala. Order of the Inter-American Court of Human Rights of July 6, 2009, Considering clause fourteen; *Matter of Alvarado Reyes et al.*, *supra* note 2, Considering clause nine; and *Matter of Natera Balboa*, *supra* note 3, Considering clause ten.

of the prison community (*supra* Having Seen 2(d), 7(e)-(g), and 9(f)). However, this has not impeded the continued succession of violent acts. For this reason, the irreparable character of the extremely serious and urgent risk to the right to life and humane treatment is evident. The Tribunal has the obligation to provide relief in this situation when the circumstances provided in Article 63(2) of the American Convention are present.

11. Consequently, in light of the provisions of the American Convention, the Inter-American Court finds it necessary to protect these individuals by way of the State's immediate adoption of provisional measures. This is in order to efficiently and definitively prevent violence in Tocarón prison as well as loss of life or harm to the physical, mental, and moral integrity of those incarcerated and of all others who may be present inside the facility.

12. It is also appropriate to recall that Article 1(1) of the Convention establishes the general obligations of State Parties to respect the rights and freedoms enshrined in the Convention and to guarantee their free and full exercise to all persons subject to the State's jurisdiction. These obligations are imposed not only in relation to State power, but also with respect to third parties. This Court regards the State as occupying a special position as guarantor of the rights of the incarcerated due to its total control over them. The Court has also indicated that, independent of the existence of provisional measures, the State is especially obligated to guarantee the rights of incarcerated persons.⁷

13. The *prima facie* standard for assessing a case and the application of presumptions to the needs for protection have led the Presidency and the Court to order such measures on different occasions.⁸ While in some instances of ordering provisional measures this Court has regarded it as essential to single out those persons who are in danger of suffering irreparable harm for the purposes of providing them with protection,⁹ in other cases the Court has ordered protection for a plurality of persons that has not be previously named but which is in any case identifiable, discernible, and in a seriously dangerous situation by virtue of belonging to a particular group or community,¹⁰ such as inmates incarcerated in a

⁷ Cf. *Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center*, *supra* note 4, Considering clause eleven; *Matter of Natera Balboa*. Provisional Measures regarding Venezuela. Order of the President of the Inter-American Court of Human Rights of December 1, 2009, Considering clause fourteen; and *Matter of Guerrero Larez*, *supra* note 3, Considering clause thirteen.

⁸ Cf., *inter alia*, *Matter of the Monagas Judicial Confinement Center ("La Pica")*. Provisional Measures regarding Venezuela. Order of the President of the Inter-American Court of Human Rights of January 13, 2006, Considering clause sixteen; *Matter of Guerrero Larez*, *supra* note 3, Considering clause fourteen; and *Matter of Fernández Ortega et al.* Provisional Measures regarding Mexico. Order of the Inter-American Court of Human Rights of April 30, 2009, Considering clause fourteen.

⁹ Cf. *Case of Haitians and Dominicans of Haitian Origin in the Dominican Republic*. Provisional Measures regarding the Dominican Republic. Order of the President of the Inter-American Court of Human Rights of September 14, 2000. Series E No. 3, Considering clause four; and *Case of Haitians and Dominicans of Haitian Origin in the Dominican Republic*. Provisional Measures regarding the Dominican Republic. Order of the Inter-American Court of Human Rights of August 18, 2000. Series E No. 3, Considering clause eight.

¹⁰ Cf., *inter alia*, *Matter of the Peace Community of San José de Apartadó*. Provisional Measures regarding Colombia. Order of the Inter-American Court of Human Rights of November 24, 2000, Considering clause seven; *Matter of the Communities of Jiguamiandó and Curbaradó*. Provisional Measures regarding Colombia. Order of the Inter-American Court of Human Rights of November 17, 2009, Considering clause six; and *Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center*, *supra* note 5, Considering clause twenty-one.

correctional facility.¹¹ In the present matter, the Inter-American Commission moved this Court to order protection for the inmates and other persons present in the Araguan Correctional Facility. For the purposes of this request, the potential beneficiaries are identifiable because they are persons who are either presently detained, able to enter as an inmate in the future, or someone who may regularly or eventually enter as an official or visitor to the facility.

14. The State must take all relevant steps so that the provisional measures mandated in the present Order are planned and implemented together with the participation of the representatives of the beneficiaries, leading to their prompt and effective realization. The Court notes the affirmative participation of the State and, particularly, the representatives is necessary in order to coordinate implementation of provisional measures in this case.

15. The adoption of these provisional measures does not prejudge State liability for the events reported.

THEREFORE:

THE INTER-AMERICAN COURT OF HUMAN RIGHTS,

in the exercise of the powers conferred by Article 63(2) of the American Convention on Human Rights and Articles 27 and 31 of the Court's Rules of Procedure,

DECIDES:

1. To ratify in all respects the Order of the President of the Inter-American Court of Human Rights of November 1, 2010 and, consequently, to require that the State maintain in place any measures currently in progress of implementation, in addition to immediately and definitely adopting any complementary measures that may be necessary and effective to avoid loss of life or harm to the physical, mental, and moral integrity of those incarcerated in the Araguan Correctional Facility, also known as Tocarón prison, as well as any others who may be present therein.

2. To require that the State undertake all relevant steps to ensure that the protective measures mandated in the present Order are planned and implemented together with the participation of the representatives of the beneficiaries and, in general, that the State keep the parties informed as to progress in their execution.

¹¹ Cf., *inter alia*, *Matter of Urso Branco Prison*. Provisional Measures regarding Brazil. Order of the Inter-American Court of Human Rights of June 18, 2002, Considering clause nine; *Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center*, *supra* note 5, Considering clause twenty-one; and *Matter of Children Deprived of Liberty in the "Complexo do Tatuapé" of FEBEM*. Provisional Measures regarding Brazil. Order of the Inter-American Court of Human Rights of July 3, 2007, Considering clause six.

3. To require that the State continue to provide information on the provisional measures adopted in conformity with this decision to the Inter-American Court of Human Rights every two months from the date of service of the present Order.

4. To request that the representatives of the beneficiaries of these provisional measures and the Inter-American Commission on Human Rights present their relevant observations within four and six weeks, respectively, from the date of service of the aforementioned State's briefs.

5. To request that the Secretariat serve notice of the present Order on the State, the Inter-American Commission, and the representatives of the beneficiaries.

Diego García-Sayán
President

Leonardo A. Franco

Manuel E. Ventura Robles

Margarette May Macaulay

Rhadys Abreu Blondet

Alberto Pérez Pérez

Eduardo Vio Grossi

Pablo Saavedra Alessandri
Secretary

So ordered,

Diego García-Sayán
President

Pablo Saavedra Alessandri
Secretary