

Caballero Delgado and Santana v. Colombia

ABSTRACT¹

On February 7, 1989, Mr. Isidro Caballero Delgado, leader of the Teachers' Union of Santander and militant member of the guerilla group M-19, and Ms. María del Carmen Santana, were captured, detained, and disappeared by a military patrol unit composed of members of the Colombian Army. The Court found that the State violated the American Convention on Human Rights and the American Convention to Prevent and Punish Torture.

I. FACTS

A. Chronology of Events

Mid-January 1989: Mr. Isidro Caballero Delgado, leader of the Teachers' Union of Santander and militant member of the guerilla group M-19, leaves his home and heads for San Alberto to prepare a forum facilitating a political solution to armed conflict occurring in San Alberto.²

February 7, 1989: At around 1:00pm, in San Alberto, Mr. Caballero Delgado and Ms. María Del Carmen Santana are captured and detained by a military patrol unit composed of members of the Colombian Army.³ Mr. Caballero Delgado's detention allegedly occurs because of his eleven-year involvement as a leader of the Teachers' Union of Santander, of which Ms. Del Carmen Santana is also a member.⁴

1. Alessa Jonas, Author; Elise Cossart-Daly, Grace Kim, and Sascha Meisel, Editors; Sarah Frost, Chief Articles Editor; Cesare Romano, Faculty Advisor.

2. Caballero Delgado and Santana v. Colombia, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 22, ¶ 34 (Dec. 8, 1995).

3. Inter-American Court of Human Rights, *Colombian Country Report 1993*, available at <http://www.cidh.oas.org/countryrep/Colombia93eng/chap.7b.htm> (last visited July 6, 2013).

4. Caballero Delgado and Santana v. Colombia, Merits, ¶ 3.

February 7, 1989: At around 3:00pm, Ms. Elida González Vergul is on her way to visit her mother in the Guadas District.⁵ While traveling through San Alberto she is stopped by a group of Colombian Army members who search through her possessions and detain her.⁶ While detained she sees a man whom she recognizes as Mr. Caballero Delgado along with a female companion.⁷ Mr. Caballero Delgado is dressed in army clothing but his female companion is completely nude with her hands tied behind her back.⁸ Ms. González Vergul is eventually released from detention.⁹ This is the last time anyone sees Mr. Caballero Delgado and Ms. Del Carmen Santana.¹⁰

February 9, 1989: Ms. María Nodelia Parra Rodríguez, the mother of Mr. Caballero Delgado's child, hears of Mr. Caballero Delgado's detention and files a writ of *habeas corpus* in the Superior Court of Bucaramanga.¹¹

February 10, 1989: Ms. Parra Rodríguez travels to San Alberto to recruit Union leaders to find witnesses and search for Mr. Caballero Delgado and Ms. del CarmenD.¹² Ms. Parra Rodríguez and the Union leaders travel to the Líbano Mobile Base and Morrison Base where Sergeant Cárdenas and Lieutenant Ríos deny any knowledge of Mr. Caballero Delgado and Ms. Del Carmen Santana's capture.¹³

B. Other Relevant Facts

In response to Ms. Parra Rodríguez's writ of *habeas corpus*, Colombia conducts a criminal investigation before the Second Criminal Examining Magistrate as well as a military investigation before Military Criminal Examining Magistrate 26.¹⁴ At the time of judgment, Mr. Caballero Delgado and Ms. Del Carmen Santana are still missing.¹⁵

5. *Id.* ¶ 36.

6. *Id.*

7. *Id.*

8. *Id.*

9. *Id.* ¶ 36.

10. *Id.*

11. *Id.* ¶ 34.

12. *Id.*

13. *Id.*

14. Caballero Delgado and Santana v. Colombia, Preliminary Objections, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 17, ¶ 14 (Jan. 21, 1994).

15. *Id.* ¶ 53(b).

II. PROCEDURAL HISTORY

A. Before the Commission

April 4, 1989: An unidentified source sends a “request for urgent action” on behalf of Mr. Caballero Delgado and Ms. Del Carmen Santana to the Inter-American Commission on Human Rights.¹⁶ Subsequently, the Commission sends the Colombian government a complaint requesting that extraordinary measures be taken to protect the lives and personal safety of Mr. Caballero Delgado and Ms. Del Carmen Santana.¹⁷

April 5, 1989: The Commission receives a formal petition against Colombia.¹⁸

September 26, 1991: The Commission accepts Petition No. 10.319 and issues Merit Report 31/91, which requests that the government of Colombia pay compensatory damages to the victims’ next of kin, continue its investigation until those who are responsible have been identified and punished, and guarantee the safety of witnesses involved.¹⁹

January 16, 1992: Colombia responds to the Commission’s report indicating that it has conducted investigations through various governmental agencies and requests that the Commission reconsider its report.²⁰

September 25, 1992: The Commission issues final Report Number 31/92, which includes a resolution to submit the case to the Inter-American Court of Human Rights.²¹

B. Before the Court

16. *Id.* ¶ 1.

17. Caballero Delgado and Santana v. Colombia, Merits, ¶ 6.

18. Caballero Delgado and Santana v. Colombia, Preliminary Objections, ¶ 1.

19. *Id.* ¶ 15.

20. *Id.* ¶ 16.

21. Caballero Delgado and Santana v. Colombia, Merits, ¶ 6.

December 24, 1992: The Commission submits this case to the Court after the State failed to adopt its recommendations.²²

January 21, 1994: The Court rules on three preliminary objections brought by the government of Colombia:

First, the government argues that the Commission infringed upon Article 48(1)(f) of the Convention because it did not attempt to reach a friendly settlement in this matter.²³ The Commission argues that, based on the Court's decision in *Velásquez Rodríguez v. Honduras*, the Commission has no obligation to attempt a friendly settlement with the parties.²⁴ Instead, reaching a friendly settlement is an option based on the circumstances and characteristics of each individual case.²⁵

The Court, however, disagrees with the Commission and says that only in exceptional circumstances may the Commission omit the friendly settlement step and that no exceptional circumstances were demonstrated here.²⁶ Although the Court disagrees with the Commission, it rejects the Government's preliminary objection because the State had the power to require a friendly settlement but did not do so.²⁷

Second, the State requests the Court dismiss the application on the grounds that the Commission improperly submitted it.²⁸ The Government states that pursuant to Article 51(1) of the Convention, the Commission has a three-month time period from the date of the transmittal of the report to the State, to settle or submit the report to the Court.²⁹ The Government believes this three month period is obligatory and has expired, therefore the Court cannot accept the report.³⁰ The Commission argues that the time period is not mandatory and that the extension occurred because of a request to reconsider by the Government.³¹

The Court dismisses this preliminary objection because the time period extension was granted at the request and benefit of the Government.³² Furthermore, because of this time extension, the Court

22. *Id.* ¶ 7.

23. Caballero Delgado and Santana v. Colombia, Preliminary Objections, ¶ 20.

24. *Id.* ¶ 23.

25. *Id.*

26. *Id.* ¶ 27.

27. *Id.* ¶ 30.

28. *Id.* ¶ 32.

29. *Id.* ¶¶ 32-7.

30. *Id.* ¶ 37.

31. *Id.* ¶ 38.

32. *Id.* ¶ 55.

finds that the three-month period began on October 2, 1992, the date that the report became final, and the application was submitted on December 24, 1992.³³ Therefore, the application was submitted in accordance with the three-month rule.³⁴

Finally, the State argues that the victims did not exhaust domestic remedies.³⁵ The Government states that *habeas corpus* is the only domestic remedy that has been sought.³⁶ *Habeas corpus*, as a remedy, operates differently under Colombian law.³⁷ It assumes that the place of detention and authorities involved in the detention are known, however, in the absence of that information, as is the situation here, other remedies exist.³⁸ The Commission argues that *habeas corpus* is an internationally recognized right and cannot be different from state to state.³⁹ Furthermore, the Commission notes that the family of Mr. Caballero Delgado sought other remedies and the imposition of disciplinary sanctions to no avail.⁴⁰ The Court finds that all domestic remedies have been exhausted as the *habeas corpus* writ produced no results, and rejects the government's preliminary objection.⁴¹

December 7, 1994: The Court orders Colombia to adopt any and all measures necessary to protect the lives of the witnesses in this case.⁴²

1. Violations Alleged by Commission⁴³

Article 2 (Obligation to Give Domestic Legal Effects to Rights)

Article 4 (Right to Life)

Article 5 (Right to Human Treatment)

Article 7 (Right to Personal Liberty)

Article 8 (Right to a Fair Trial)

Article 25 (Right to Judicial Protection)

all in relation to:

Article 1(1) (Obligation to Respect Rights) of the American

33. *Id.* ¶ 54.

34. *Id.*

35. *Id.* ¶ 56.

36. *Id.*

37. *Id.*

38. *Id.*

39. *Id.* ¶ 58.

40. *Id.* ¶ 59.

41. *Id.* ¶¶ 64-68.

42. Caballero Delgado and Santana v. Colombia, Provisional Measures, Order of the Court, Inter-Am. Ct. H.R. (ser. E) ¶ 2 (Dec. 7, 1994).

43. Caballero Delgado and Santana v. Colombia, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 22, ¶ 2 (Dec. 8, 1995).

Convention.

2. Violations Alleged by Representatives of the Victims⁴⁴

Same Violations Alleged by the Commission.

III. MERITS

A. *Composition of the Court*⁴⁵

Héctor Fix-Zamudio, President
Hernán Salgado Pesantes, Vice-President
Rafael Nieto Navia, Judge
Alejandro Montiel Argüello, Judge
Máximo Pacheco Gómez, Judge

Manuel E. Ventura Robles, Secretary
Ana María Reina, Deputy Secretary

B. *Decision on the Merits*

December 8, 1995: The Court issues its Judgment on the Merits.⁴⁶

The Court found by four votes to one that Colombia had violated:

Articles 7 (Right to Personal Liberty) and 4 (Right to Life), in relation to Article 1(1) of the Convention, to the detriment of Mr. Caballero Delgado and Ms. Del Carmen Santana,⁴⁷ because:

Based on the testimony rendered before the court and in domestic proceedings, the Court concluded that members of the Colombian army detained and disappeared Mr. Caballero Delgado and Ms. Del Carmen

44. *Id.* The Merits Judgment does not identify independent representatives of the victims; it appears that the Commission represented the victims. *See* Caballero-Delgado and Santana v. Colombia, Preliminary Objections, ¶ 1; Caballero-Delgado and Santana v. Colombia, Merits, ¶ 1.

45. Judge Oliver Jackman recused himself from this case because of his involvement in the case when he was a member of the Inter-American Commission. *Id.* at n.*. Judge Máximo Pacheco Gómez was also absent from the proceedings for reasons of *force majeure*. *Id.*

46. Caballero Delgado and Santana v. Colombia, Merits, ¶ 7.

47. *Id.* ¶ 1.

*Santana.*⁴⁸ *At the time of judgment, more than six years had passed with no news of Mr. Caballero Delgado and Ms. Del Carmen Santana's whereabouts, it is reasonable to conclude they are deceased.*⁴⁹ *Therefore, the Court found that Colombia violated Mr. Caballero Delgado and Ms. Del Carmen Santana's rights to personal liberty, enshrined in Article 7, and to life, enshrined in Article 4.*⁵⁰

The Court found by four votes to one that Colombia had not violated:

Article 5 (Right to Humane Treatment), in relation to Article 1(1) of the Convention, to the detriment of Mr. Caballero Delgado and Ms. Del Carmen Santana,⁵¹ because:

*Sufficient evidence does not exist to indicate that Mr. Caballero Delgado and Ms. Del Carmen Santana were subjected to inhumane treatment or torture during their detention.*⁵² *The testimony of the two witnesses who viewed any inhumane treatment is vague and not corroborated by the statements of any other witnesses.*⁵³ *The Court, therefore, found that Colombia had not violated Article 5 (Right to Humane Treatment).*⁵⁴

The Court found unanimously that Colombia had not violated:

Articles 2 (Obligation to Give Domestic Effect to Rights), 8 (Right to a Fair Trial), and 25 (Right to Judicial Protection), in relation to Article 1(1) of the Convention, to the detriment of Mr. Caballero Delgado and Ms. Del Carmen Santana,⁵⁵ because:

*Regarding Article 2 (Obligation to Give Domestic Legal Effect to Rights), the court found that Colombia does not lack sufficient measures or legislation to enforce and give effect to the rights and freedoms enumerated by the Convention.*⁵⁶

Regarding Article 8 (Right to a Fair Trial), the Court found that the

48. *Id.* ¶ 53(b).

49. *Id.*

50. *Id.* ¶ 63.

51. *Id.* ¶ 1.

52. *Id.* ¶ 53(f).

53. *Id.*

54. *Id.*

55. *Id.* ¶ 1.

56. *Id.* ¶ 62.

*State was not given the opportunity to enforce the judicial guarantees contained in Article 8 of the Convention, as very little time transpired between the illegal detention and presumed death of the persons named in this case.*⁵⁷

*The Court found that the State did not violate Article 25 (Right to Judicial Protection) of the Convention.*⁵⁸ *Although the writ of habeas corpus filed on behalf of Mr. Caballero Delgado was unsuccessful, it was processed, thus there was no violation of the guarantee of judicial protection.*⁵⁹

C. Dissenting and Concurring Opinions

1. Dissenting Opinion of Judge Rafael Nieto Navia

In a separate opinion, Judge Nieto Navia disagreed with the Court's ruling that Colombia violated Articles 7 (Right to Personal Liberty) and 4 (Right to Life) of the Convention.⁶⁰ Based on the testimony of witnesses it was not clear that those responsible were acting under official orders of the Colombian Army or if they were a separate guerilla group.⁶¹ Furthermore, Judge Nieto Navia believed that the Court erred in analyzing Mr. Caballero Delgado and Ms. Del Carmen Santana's case for criminal liability rather than analyzing whether Colombia violated the Convention.⁶²

2. Dissenting Opinion of Judge Maximo Pacheco Gomez

In a separate opinion, Judge Pacheco Gomez disagreed with the Court's ruling that Colombia did not violate Article 5 (Right to Humane Treatment) of the Convention.⁶³ He states that the witnesses' testimony showed that Mr. Caballero Delgado and Ms. Del Carmen Santana were "not treated with the respect owed to their dignity as human beings."⁶⁴

57. *Id.* ¶ 64.

58. *Id.* ¶ 1.

59. *Id.* ¶ 66.

60. Caballero Delgado and Santana v. Colombia, Merits, Judgment, Dissenting Opinion of Judge Rafael Nieto Navia, Inter-Am. Ct. H.R. (ser. C) No. 22, ¶ 1 (Dec. 8, 1995).

61. *Id.*

62. *Id.* ¶ 3.

63. Caballero Delgado and Santana v. Colombia, Merits, Judgment, Dissenting Opinion of Judge Maximo Pacheco Gomez, Inter-Am. Ct. H.R. (ser. C) No. 22, ¶ 1 (Dec. 8, 1995).

64. *Id.* ¶ 2.

IV. REPARATIONS

The Court ruled by four votes to one that the State had the following obligations:

A. Specific Performance (Measures of Satisfaction and Non-Repetition Guarantee)

1. Locate and Identify the Remains of Victims

Colombia must continue its efforts in finding and identifying the remains of Mr. Caballero-Delgado and Ms. Del Carmen Santana.⁶⁵ Once found, the State must deliver them to their next of kin.⁶⁶

2. Identify, Prosecute, and Punish Those Responsible

Additionally, the State must continue judicial proceedings into the disappearance and presumed death of Mr. Caballero Delgado and Ms. Del Carmen Santana and punish those responsible in accordance with the laws of the State.⁶⁷

B. Compensation

The Court awarded the following amounts:

1. Pecuniary Damages

The State must pay \$20,000 to the relatives of Mr. Caballero Delgado for moral damages incurred as a result of his disappearance and presumed death.⁶⁸ The State must also pay Ms. Del Carmen Santana's relatives \$10,000 for moral damages.⁶⁹ Additionally, the State must pay Mr. Caballero Delgado's relatives \$59,500 for material damages caused by his death.⁷⁰

2. Non-Pecuniary Damages

65. Caballero Delgado and Santana v. Colombia, Reparations and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 22, ¶ 4 (Jan. 29, 1997).

66. *Id.*

67. *Id.* ¶ 2(5).

68. *Id.* ¶ 50.

69. *Id.* ¶ 51.

70. *Id.* ¶ 43.

[None]

3. Costs and Expenses

The Court awarded \$2,000 to Ms. Parra Rodríguez as compensation for expenses incurred in pursuing the case before the Colombia authorities.⁷¹

4. Total Compensation (including Costs and Expenses ordered):

\$91,500

C. Deadlines

The State must compensate the family of Mr. Caballero Delgado and Ms. Del Carmen Santana within six months.⁷²

V. INTERPRETATION AND REVISION OF JUDGMENT

[None]

VI. COMPLIANCE AND FOLLOW-UP

April 16, 1997: The Court ordered Colombia to investigate the intimidation of witnesses and punish those involved.⁷³

August 1, 1997: The Colombian Ministry of Defense issued a resolution to order the payment of \$28,500 to Ms. Parra Rodriguez, the setting up of a trust fund for the children of Mr. Caballero Delgado containing \$26,500 in each, and the payment of \$10,000 to Ms. Del Carmen Santana's next of kin.⁷⁴

September 25, 1997: The State was ordered by the President of the Court to present specific information showing that Ms. Parra Rodriguez had been compensated and also as to the progress in determining the

71. Caballero Delgado and Santana v. Colombia, Reparations and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 22, ¶ 66(2).

72. *Id.* ¶ 60.

73. Caballero Delgado and Santana v. Colombia, Provisional Measures, Order of the Court, Inter-Am. Ct. H.R. (ser. E) "Decisions" ¶ 2 (Apr. 16, 1997).

74. Caballero Delgado and Santana v. Colombia, Monitoring Compliance with Judgment, Order of the Court, Inter-Am. Ct. H.R. ¶ 3 (Nov. 27, 2003).

identity of Ms. Del Carmen Santana or her next of kin.⁷⁵ The Court further ordered the State to present information showing their efforts to locate the remains of the victims and the setting up of trust funds for Mr. Caballero Delgado's children.⁷⁶

October 8, 1997: A representative for the minor children of Mr. Caballero Delgado presented a brief to the court indicating that neither the amount owed nor the interest due to the children had been paid.⁷⁷

July 30, 1999: The State indicated that, despite four exhumation procedures, it had been unable to locate the remains of the victims.⁷⁸

September 10, 1999: The State found Ms. Del Carmen Santana's mother, Ana Vitelma Ortiz.⁷⁹

July 12, 2001: The Commission indicated that Ana Vitelma Ortiz was paid \$10,000 but that the State failed to pay the interest earned on this amount from the time when the trust fund had been set up in January 1998 to May 2001.⁸⁰

November 27, 2002: The Court issued a report on the State's compliance.⁸¹

November 23, 2003: The Court found that the State had paid reparations and reimbursement of expenses to Ms. Parra Rodriguez and that a single term deposit certificate had been established in favor of the two minor children of Mr. Caballero Delgado.⁸² The Court also found that payment to the mother of Ms. Del Carmen Santana, Ana Vitelam Ortiz, had been made.⁸³ However, the interest accrued on the trust fund from January 1998 to the date of payment May 2001 had not yet been

75. *Id.* ¶ 4.

76. *Id.*

77. *Id.* ¶ 5.

78. *Id.* ¶ 21.

79. *Id.* ¶¶ 22-3.

80. *Caballero Delgado and Santana v. Colombia*, Provisional Measures, Order of the President of the Court, Inter-Am. Ct. H.R. (ser. E) ¶ 36 (Dec. 8, 2009).

81. *Caballero Delgado and Santana v. Colombia*, Monitoring Compliance with Judgment, Order of the Court, Inter-Am. Ct. H.R. (Nov. 27, 2002).

82. *Caballero Delgado and Santana v. Colombia*, Monitoring Compliance with Judgment, Order of the Court, ¶ 6(b).

83. *Id.* ¶ 6(c).

paid.⁸⁴

February 22, 2006: The State paid the interest due to Ana Vitelam Ortiz.⁸⁵

July 4, 2006: The Court ordered Colombia to continue informing the beneficiaries in the planning and measures of protection ordered by the Court.⁸⁶

February 6, 2008: The Court again ordered the State to continue to investigate the intimidation of witnesses and punish those involved.⁸⁷

February 6, 2008: The Court found that the State had paid Ms. Ingrid Carolina Caballero Martínez.⁸⁸ However, the interest earned on the amount owed to Mr. Iván Andrés Caballero Parra had not yet been received.⁸⁹ Further, the State had attempted to clarify facts of the disappearance and locate those responsible but had not yet been able to do so.⁹⁰

February 25, 2011: The Court ordered this case file closed.⁹¹

February 27, 2012: The Court ordered Colombia to continue to comply with their decision from December 8, 1995 and to issue to the Court, by August 15, 2012, a report indicating all measures taken to comply with judgment.⁹²

Judge Eduardo Vio Grossi dissented.⁹³ He asserted that it is unreasonable that the State had not fully complied with the Court's orders, given the amount of time that passed since the judgment, and encouraged the Court to advise the General Assembly of the

84. *Id.*

85. Caballero Delgado and Santana v. Colombia, Monitoring Compliance with Judgment, Order of the Court, Inter-Am. Ct. H.R. ¶ 3(b) (Feb. 6, 2008).

86. Caballero Delgado and Santana v. Colombia, Provisional Measures, Order of the Court, Inter-Am. Ct. H.R. (ser. E) "Decisions" ¶ 4 (July 4 2006).

87. Caballero Delgado and Santana v. Colombia, Provisional Measures, Order of the Court, Inter-Am. Ct. H.R. (ser. E) "Decisions" ¶ 3 (Feb. 6, 2008).

88. *Id.* ¶ 11.

89. *Id.* ¶ 19.

90. *Id.* ¶ 23.

91. Caballero Delgado and Santana v. Colombia, Provisional Measures, Order of the Court, Inter-Am. Ct. H.R. (ser. E) "Decisions" ¶ 3 (Feb. 25, 2011).

92. Caballero Delgado and Santana v. Colombia, Monitoring Compliance with Judgment, Order of the Court, Inter-Am. Ct. H.R. "Decisions," ¶ 1 (Feb. 27, 2012).

93. Caballero Delgado and Santana v. Colombia, Monitoring Compliance with Judgment, Separate Opinion of Judge Eduardo Vio Grossi, Inter-Am. Ct. H.R. (Feb. 27, 2012).

Organization of American States of Colombia's failure to comply with the judgment.⁹⁴

VII. LIST OF DOCUMENTS

A. *Inter-American Court*

1. Preliminary Objections

[Caballero Delgado and Santana v. Colombia, Preliminary Objections, Judgment, Inter-Am. Ct. H.R. \(ser. C\) No. 17 \(Jan. 21, 1994\).](#)

2. Decisions on Merits, Reparations, and Costs

[Caballero Delgado and Santana v. Colombia, Reparations and Costs, Judgment, Inter-Am. Ct. H.R. \(ser. C\) No. 31 \(Jan. 29, 1997\).](#)

[Caballero Delgado and Santana v. Colombia, Merits, Judgment, Inter-Am. Ct. H.R. \(ser. C\) No. 22 \(Dec. 8, 1995\).](#)

[Caballero Delgado and Santana v. Colombia, Merits, Judgment, Dissenting Opinion of Judge Rafael Nieto-Navia, Inter-Am. Ct. H.R. \(ser. C\) No. 22 \(Dec. 8, 1995\).](#)

[Caballero Delgado and Santana v. Colombia, Merits, Judgment, Dissenting Opinion of Judge Maximo Pacheco-Gomez, Inter-Am. Ct. H.R. \(ser. C\) No. 22 \(Dec. 8, 1995\).](#)

3. Provisional Measures

[Caballero Delgado and Santana v. Colombia, Provisional Measures, Order of the Court, Inter-Am. Ct. H.R. \(ser. E\) \(Feb. 25, 2011\).](#)

[Caballero Delgado and Santana v. Colombia, Provisional Measures, Order of the Court, Inter-Am. Ct. H.R. \(ser. E\) \(Feb. 3, 2010\).](#)

[Caballero Delgado and Santana v. Colombia, Provisional Measures,](#)

94. *Id.*

[Order of the Court, Inter-Am. Ct. H.R. \(ser. E\) \(Dec. 8, 2009\) \(Available only in Spanish\).](#)

[Caballero Delgado and Santana v. Colombia, Provisional Measures, Order of the Court, Inter-Am. Ct. H.R. \(ser. E\) \(Feb. 6, 2008\).](#)
[Caballero Delgado and Santana v. Colombia, Provisional Measures, Order of the Court, Inter-Am. Ct. H.R. \(ser. E\) \(Dec. 10, 2007\) \(Available only in Spanish\).](#)

[Caballero Delgado and Santana v. Colombia, Provisional Measures, Order of the Court, Inter-Am. Ct. H.R. \(ser. E\) \(July 4 2006\).](#)

[Caballero Delgado and Santana v. Columbia, Provisional Measures, Order of the Court, Inter-Am. Ct. H.R. \(ser. E\) \(June 3, 1999\).](#)

[Caballero Delgado and Santana v. Columbia, Provisional Measures, Order of the Court, Inter-Am. Ct. H.R. \(ser. E\) \(Sep. 19, 1997\).](#)

[Caballero Delgado and Santana v. Columbia, Provisional Measures, Order of the Court, Inter-Am. Ct. H.R. \(ser. E\) \(April 16, 1997\).](#)

[Caballero Delgado and Santana v. Colombia, Provisional Measures, Order of the Court, Inter-Am. Ct. H.R. \(ser. E\) \(Jan. 31, 1997\).](#)

[Caballero Delgado and Santana v. Colombia, Provisional Measures, Order of the Court, Inter-Am. Ct. H.R. \(ser. E\) \(Dec. 7, 1994\).](#)

4. Compliance Monitoring

[Caballero Delgado and Santana v. Colombia, Monitoring Compliance with Judgment, Separate Opinion of Judge Eduardo Vio Grossi, Inter-Am. Ct. H.R. \(Feb. 27, 2012\).](#)

[Caballero Delgado and Santana v. Colombia, Monitoring Compliance with Judgment, Order of the Court, Inter-Am. Ct. H.R. \(Nov. 17, 2009\).](#)

[Caballero Delgado and Santana v. Colombia, Monitoring Compliance with Judgment, Order of the Court, Inter-Am. Ct. H.R. \(Feb. 6, 2008\).](#)

[Caballero Delgado and Santana v. Colombia, Monitoring Compliance with Judgment, Order of the President of the Court, Inter-Am. Ct. H.R. \(Dec. 10, 2007\) \(Available only in Spanish\).](#)

[Caballero Delgado and Santana v. Colombia, Monitoring Compliance with Judgment, Order of the Court, Inter-Am. Ct. H.R. \(Nov. 27, 2003\).](#)

[Caballero Delgado and Santana v. Colombia, Monitoring Compliance with Judgment, Order of the Court, Inter-Am. Ct. H.R. \(Nov. 27, 2002\) \(Available only in Spanish\).](#)

5. Review and Interpretation of Judgment

[None]

B. Inter-American Commission

1. Petition to the Commission

Caballero Delgado and Santana v. Colombia, Petition No. 10.319, Inter-Am. Comm'n H.R. (April 5, 1989).

2. Report on Admissibility

[Not Available]

3. Provisional Measures

[None]

4. Report on Merits

Caballero Delgado and Santana v. Colombia, Report on Merits, Report No. 31/92, Inter-Am. Comm'n H.R., Case No. 10.319 (Sept. 25, 1992).

Caballero Delgado and Santana v. Colombia, Report on Merits, Report No. 31/91, Inter-Am. Comm'n H.R., Case No. 10.319 (Sept. 26, 1991).

5. Application to the Court

Caballero Delgado and Santana v. Colombia, Petition to the Court, Inter-Am. Ct. H.R., Case No. 10.319 (Dec. 24, 1992).

VIII. BIBLIOGRAPHY

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Christina M. Cerna, *International Law and the Protection of Human Rights in the Inter-American System*, 19 HOUS. J. INT'L L. 731 (1997).

Patricia Palacios Zuloaga, *The Path to Gender Justice in the Inter-American Court of Human Rights*, 17 TEX. J. WOMEN & L. 227 (2008).

Patricia E. Standaert, *The Friendly Settlement of Human Rights Abuses in the Americas*, 9 DUKE J. COMP. & INT'L L. 519 (1999).