

# Fairén Garbi and Solís Corrales v. Honduras

## ABSTRACT<sup>1</sup>

*On December 11, 1981, Costa Rican citizens, Francisco Fairén Garbi, a student and public employee, and Yolanda Solís Corrales, a teacher, disappeared in Honduras, while traveling to Mexico, via Nicaragua, Honduras and El Salvador. Honduran officials denied they entered Honduras. However, the Government of Nicaragua certified that the two travelers had indeed left Nicaragua for Honduras on the date of disappearance, and later submitted photocopies of the immigration cards in the travelers' handwriting. This is one of the few cases in which the Court could not find the State at fault because there was insufficient evidence to relate the disappearances of the victims to Honduras's practice of forced disappearances for political motives prevailing at that time in the State.*

## I. FACTS

### A. Chronology of Events

**December 11, 1981:** Mr. Francisco Fairén Garbi, a twenty-eight-year old student and public employee, and Ms. Yolanda Solís Corrales, a twenty-eight-year old teacher,<sup>2</sup> allegedly enter Honduras at the Las Manos border post, while traveling from Costa Rica to Mexico.<sup>3</sup> Both travelers are expected to return to their home country, Costa Rica, by

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

2. Fairén Garbi and Solís Corrales v. Honduras, Preliminary Objections, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 2, ¶ 16 (Jun. 26, 1987).

3. Fairén Garbi and Solís Corrales v. Honduras, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 6, ¶ 3, (Mar. 15, 1989); *see also* Fairén Garbi and Solís Corrales v. Honduras, Report on Merits, Report No. 16/84, Inter-Am. Comm'n H.R., Case No. 7951, ¶ 11(1) (Oct. 4, 1984).

December 21, 1981: Mr. Fairén Garbi must attend work; and both Mr. Fairén Garbi and Ms. Solís Corrales plan to return home for Christmas.<sup>4</sup>

**December 24, 1981:** Mr. Fairén Garbi and Ms. Solís Corrales do not return to Costa Rica.<sup>5</sup> Their friends and acquaintances unsuccessfully attempt to locate them.<sup>6</sup> Relatives Mr. Fairén Garbi and Ms. Solís Corrales planned to visit in Mexico report that they never arrived.<sup>7</sup>

**December 28, 1981:** A man's body is found at La Montañita, near Tegucigalpa, Honduras.<sup>8</sup>

**January 5, 1982:** Notes are dispatched by the Ministry of Foreign Affairs of Costa Rica to the Embassies of Nicaragua, Honduras, and Guatemala requesting information on the whereabouts of Mr. Fairén Garbi and Ms. Solís Corrales.<sup>9</sup>

**January 8, 1982:** The Embassy of Nicaragua in Costa Rica certifies that Mr. Fairén Garbi and Ms. Solís Corrales left Nicaragua on December 11, 1981 at the Las Manos border at 4:00 pm and crossed into Honduras.<sup>10</sup> Subsequent communications presented by the governments of Honduras and Guatemala contradict this report.<sup>11</sup>

**January 14, 1982:** A note signed by the First Secretary and the Guatemalan Consul in San José, Costa Rica declares that Mr. Fairén Garbi and Ms. Solís Corrales did not enter or leave Guatemala at any time between December 8 and December 12, 1981.<sup>12</sup> The Government of Honduras issues a statement that the missing persons did not appear on a computer print-out of entries into Honduras between December 8 and 15, 1981.<sup>13</sup>

#### *B. Other Relevant Facts*

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4. *Id.* ¶ 3.

5. *Id.*

6. *Id.*

7. *Id.*

8. Fairén Garbi and Solís Corrales v. Honduras, Merits, Judgment, ¶ 4(f).

9. Fairén Garbi and Solís Corrales v. Honduras, Report on Merits, Report No. 16/84, Inter-Am. Comm'n H.R., Case No. 7951, ¶ 3 (Oct. 4, 1984).

10. *Id.* ¶ 11(2).

11. *Id.* ¶ 11(3)(a).

12. *Id.*

13. *Id.* ¶ 11(3)(b).

Testamentary and documentary evidence reveal that systematic and selective disappearances occurred with the assistance or tolerance of the government in Honduras between 1981 and 1984.<sup>14</sup> Armed men wearing civilian clothes carry out kidnappings in broad daylight and in public places using vehicles without license plates or official identification.<sup>15</sup> The people of Honduras know military personnel, the police, or persons acting under official orders carry out these kidnappings, but Honduran authorities systematically deny any knowledge of the detentions, whereabouts, or fate of the disappeared victims.<sup>16</sup> Approximately 100 to 150 persons disappear during this period.<sup>17</sup>

## II. PROCEDURAL HISTORY

### A. *Before the Commission*

**January 14, 1982:** A petition is filed on behalf of Mr. Fairén Garbi and Ms. Solís Corrales with the Inter-American Commission on Human Rights.<sup>18</sup>

**January 24, 1982:** According to the Commission's record, and in contradiction to the report issued by the Embassy of Nicaragua in Costa Rica, the government of Honduras and its Ambassador in Costa Rica announce in a Costa Rican newspaper that Mr. Fairén Garbi and Ms. Solís Corrales "at no time entered the territory of the Republic of Honduras."<sup>19</sup>

**February 3, 1982:** A document signed by the Chief Inspector of Migration in the Office of Immigration in Guatemala states that Mr. Fairén Garbi and Ms. Solís Corrales entered Guatemala from Honduras at the border post of El Florido, Camotán, Chiquimul on December 12, 1981.<sup>20</sup> This document contradicts the diplomatic document issued by Guatemala on January 14, 1982.<sup>21</sup> The Office of

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14. Fairén Garbi and Solís Corrales v. Honduras, Merits, Judgment, ¶ 121(a).

15. *Id.* ¶ 153(b).

16. *Id.* ¶¶ 153(c), 153(d)(iv).

17. *Id.* ¶ 153(a).

18. *Id.* ¶ 1. None of the available Court or Commission documents state who submitted the petition to the Commission.

19. *Id.* ¶ 4(a).

20. *Id.* ¶ 4(d).

21. *Id.*

Immigration further certifies that both Mr. Fairén Garbi and Ms. Solís Corrales left Guatemala on December 14, 1981 through the Valle Nuevo border post towards El Salvador.<sup>22</sup>

**February 11, 1982:** The Secretary General of Immigration of Honduras states that Ms. Solís Corrales left Nicaragua in a private vehicle and entered Honduras at the Las Manos border on December 12, 1981.<sup>23</sup> This statement contradicts what Honduran representatives previously asserted.<sup>24</sup> Honduras maintains that there is no record of Mr. Fairén Garbi entering Honduras and no record of either Mr. Fairén Garbi's or Ms. Solís Corrales' departure.<sup>25</sup>

**March 10, 1982:** Further contradicting the Honduran governments' prior statements, the Minister of Foreign Relations of Honduras informs his Costa Rican counterpart that both Mr. Fairén Garbi and Ms. Solís Corrales entered Honduras from Nicaragua at the Las Manos border on December 11, 1982 and that they left for Guatemala at El Florido the following day.<sup>26</sup>

**June 9, 1982:** The Honduran State affirms its stance that Mr. Fairén Garbi and Ms. Solís Corrales left Honduras for Guatemala on December 12, 1982 and left Guatemala for El Salvador on December 14, 1981.<sup>27</sup> Guatemalan officials corroborate this statement.<sup>28</sup>

**October 4, 1984:** The Commission adopts Resolution No. 16/84.<sup>29</sup> In this resolution, the Commission draws the "logical conclusion that the said persons remained on Honduran territory."<sup>30</sup> The Commission further finds that there is "a flagrant contradiction between the reports of the Governments of Nicaragua and Guatemala and the reports of the [State]," making it impossible to accept the reported version of events: that the Costa Rican nationals left Honduras.<sup>31</sup>

The Commission also declares that the acts denounced constitute

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22. *Id.*

23. *Id.* ¶ 4(b).

24. *Id.*

25. *Id.*

26. *Id.* ¶ 4(c).

27. *Id.* ¶ 4(g).

28. *Id.* ¶ 4(g).

29. Fairén Garbi and Solís Corrales v. Honduras, Report on Merits, Report No. 23/86, Inter-Am. Comm'n H.R., Case No. 7951 (Apr. 18, 1986).

30. *Id.* ¶ 11(3)(b).

31. *Id.* ¶ 11(3)(c).

serious violations of Article 4 (Right to Life) and 7 (Right to Personal Liberty) of the American Convention.<sup>32</sup> The Commission states that the Honduran State is responsible for the disappearances of Mr. Fairén Garbi and Ms. Solís Corrales and recommends that the State order a thorough investigation of the circumstances surrounding the disappearances.<sup>33</sup> The Commission advises the State to inform the Commission of the measures they have taken to implement the recommendations within 90 days.<sup>34</sup>

**October 29, 1984:** The State requests that the Commission reconsider Resolution No. 16/84 on the grounds of its own conclusion that Mr. Fairén Garbi and Ms. Solís Corrales did leave Honduras, presumably for Guatemala.<sup>35</sup> The State consents to the exhumation of the body found in La Montañita according to procedures established by Honduran law.<sup>36</sup> The State explains that it ordered authorities to investigate the allegations contained in the petition,<sup>37</sup> and alleges that domestic remedies have not been exhausted in the case.<sup>38</sup>

**October 17, 1985:** The State gives the Commission a report issued by the Investigatory Commission.<sup>39</sup> The report states there is no documentation that proves Mr. Fairén Garbi and Ms. Solís Corrales were captured or that they entered Honduras legally.<sup>40</sup>

**April 7, 1986:** The State informs the Commission that the Investigatory Commission has not discovered new evidence and the information at hand does not contain sufficient evidence on which to rule on the alleged disappearances with absolute certainty.<sup>41</sup>

### B. Before the Court

**April 24, 1986:** The Commission submits the case to the Court after the State failed to adopt its recommendations.<sup>42</sup>

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32. Fairén Garbi and Solís Corrales v. Honduras, Merits, Judgment, ¶ 5.

33. Fairén Garbi and Solís Corrales v. Honduras, Report on Merits, Report No. 23/86, Inter-Am. Comm'n H.R., Case No. 7951, ¶ 11 (Apr. 18, 1986).

34. *Id.*

35. Fairén Garbi and Solís Corrales v. Honduras, Merits, Judgment, ¶ 6.

36. *Id.*

37. *Id.*

38. *Id.*

39. *Id.* ¶ 7.

40. *Id.*

41. *Id.* ¶ 8.

42. *Id.* ¶ 1.

1. Violations Alleged by Commission<sup>43</sup>

Article 4 (Right to Life)

Article 5 (Right to Humane Treatment)

Article 7 (Right to Personal Liberty)

*all in relation to:*

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

2. Violations Alleged by Representatives of the Victims<sup>44</sup>

Same Violations Alleged by Commission.

Amnesty International, The Central American Association of Families of Detained and Disappeared Persons (*Asociación Centroamericana de Familiares de Detenidos-Desaparecidos*), Association of the Bar of the City of New York, Lawyers Committee for Human Rights, and Minnesota Lawyers International Human Rights Committee submit amicus curiae briefs to the Court.<sup>45</sup>

**July 23, 1986:** Judge Jorge R. Hernández Alcerro recuses himself from the case, and the President of the Court informs the State of its right to appoint a judge *ad hoc*.<sup>46</sup>

**August 21, 1986:** The State names Judge Rigoberto Espinal-Irías as judge *ad hoc*.<sup>47</sup>

**October 31, 1986:** The State objects to the admissibility of the application filed by the Commission on the grounds that the Commission's version of events suggests that Mr. Fairén Garbi and Ms. Solís Corrales left Costa Rica and entered the Nicaragua on December 8, 1981 and then left Nicaragua on December 11, 1981.<sup>48</sup> The State maintains that Mr. Fairén Garbi and Ms. Solís Corrales entered

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43. *Id.* ¶ 2.

44. It is unclear from the Judgment who the Representative(s) of the Victims are. It is inferred that the violations alleged are the same as those adopted by the Commission.

45. Fairén Garbi and Solís Corrales v. Honduras, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 6, ¶ 47, (Mar. 15, 1989).

46. *Id.* ¶ 12.

47. *Id.*

48. Fairén Garbi and Solís Corrales v. Honduras, Preliminary Objections, Judgment, ¶¶ 30(1)-(5).

Honduras on December 11, 1981, but left the country the next day.<sup>49</sup> Additionally, the State contends that the petition should be ruled inadmissible because the petitioner failed to exhaust domestic legal remedies, and because petitioners have not met the requirements of the Convention and the Regulations.<sup>50</sup>

**March 20, 1987:** The Commission responds to the State's assertions, concluding that Mr. Fairén Garbi and Ms. Solís Corrales were captured on December 11, 1981 and that they disappeared while in transit in Honduras.<sup>51</sup> The Commission also emphasizes that the State did not adopt the Commission's recommendations to investigate the allegations and punish those found responsible.<sup>52</sup> The Commission argues that the objections raised by the State have no legal basis under the Convention and standards of international law.<sup>53</sup>

**June 26, 1987:** The Court issues its judgment on the State's preliminary objections.<sup>54</sup> The Court unanimously rejects the preliminary objections interposed by the State, except for the issues related to the exhaustion of the domestic legal remedies, which the Court joins to the merits of the case.<sup>55</sup> Although the exhaustion of domestic remedies is required for admissibility before the Commission, the determination of whether such remedies have been pursued and exhausted, or whether an exception applies, is a matter that falls within the contentious jurisdiction of the Court and should be assessed in the merits.<sup>56</sup>

The Court finds that the other objections of the State, including lack of a formal declaration of admissibility by the Commission, failure to attempt a friendly settlement, failure to carry out an on-site investigation, and improper application of Articles 50 and 51 of the Convention, are invalid bases for to bar the Court's consideration.<sup>57</sup> With respect to the objection of lack of formal declaration of admissibility by the Commission, the Court finds that the Commission's procedural regulations do not require an express declaration of

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49. *Id.*

50. *Id.*

51. *Id.* ¶¶ 31(1)-(3).

52. *Id.*

53. *Id.*

54. Fairén Garbi and Solís Corrales v. Honduras, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 6, ¶ 22 (Mar. 15, 1989).

55. *Id.*

56. *Id.*; Fairén Garbi and Solís Corrales v. Honduras, Preliminary Objections, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 2 ¶ 83 (Jun. 26, 1987).

57. *See generally* Fairén Garbi and Solís Corrales v. Honduras, Preliminary Objections, Judgment.

admissibility when the Commission is itself involved.<sup>58</sup> On the objection of failure to attempt a friendly settlement, the Court finds that the Commission need only attempt a friendly settlement when circumstances of the controversy make that option suitable or necessary, and that the decision to pursue such a settlement is in the sole discretion of the Commission.<sup>59</sup> Considering the circumstances of the case, the Court decides that the Commission's handling of the friendly settlement matter cannot be challenged.<sup>60</sup> Regarding the objection that the Commission did not carry out an on-site investigation to verify allegations, the Court holds that the rules governing on-site investigations allow for Commission discretion.<sup>61</sup> Therefore, they are not mandatory, and the failure to conduct such investigations does not affect the admissibility of the petition.<sup>62</sup> Finally, with regard to the objection of improper application of Articles 50 and 51 of the Convention, the Court finds that the Commission's failure to fully comply with the requirements of Articles 50 and 51 did not impair the rights of the State and that the case should not be ruled inadmissible on those grounds.<sup>63</sup>

**August 19, 1987:** The Commission informs the Court that despite the countless steps taken, it is impossible for the Commission to determine where the body found in La Montañita is buried, and reiterates the request to order exhumation of the body.<sup>64</sup>

**August 28, 1987:** The Court asks the State to inform it where the body found in La Montañita was buried.<sup>65</sup>

**January 15, 1988:** On the Commission's request, after the Court is informed of the death of three witnesses summoned to appear in Court proceedings, the Court requests that the State take necessary measures to prevent further infringements on the basic rights of those who have appeared or have been summoned to appear before it.<sup>66</sup> The Court orders the State to investigate these crimes and to punish the

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58. *Id.* ¶ 44.

59. *Id.* ¶ 49.

60. *Id.* ¶ 51.

61. *Id.* ¶¶ 54-55.

62. *Id.* ¶ 55.

63. *Id.* ¶ 76.

64. *Id.* ¶ 50.

65. *Id.* ¶ 51.

66. *Id.* ¶¶ 62-64.



perpetrators.<sup>67</sup>

**January 18, 1988:** The Court further adopts complementary provisional measures requesting that the State inform the Court, within fifteen days, of the specific measures it has adopted to protect witnesses, to report on the judicial investigations on those assassinated, to make public statements regarding the aforementioned assassinations, and to inform on the criminal investigations of threats against other witnesses.<sup>68</sup>

**January 19, 1988:** The Court unanimously adopts additional provisional measures.<sup>69</sup> The Court requests that the State inform the Court of the measures that have been or will be adopted to protect witnesses, the investigations that have been or will be undertaken with respect to threats against witnesses, the investigations of the assassinations, and the proposed steps to be taken to punish those responsible within a period of two weeks.<sup>70</sup> The Court further requests that the State adopt concrete measures to clarify that the appearance of individuals before the Commission or Court is a right enjoyed by every individual and recognized by the State.<sup>71</sup>

**January 20, 1989:** After numerous unanswered requests to locate the body found in La Montañita, the Court enters an order urging the State to provide the Court with the location of the cadaver and requiring the State to order and carry out the exhumation and identification of the body within thirty days.<sup>72</sup> The Court also requests that the President of the State appoint suitable persons to participate in the exhumation and identification of the body and for those persons to present separate reports to the Court.<sup>73</sup>

**February 17, 1989:** The State informs the Court that the cemetery where the remains of the cadaver were buried is so ravaged by nature, passage of time, and a recent hurricane that it is now impossible to find the exact place where the body is buried.<sup>74</sup>

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67. *Id.* ¶ 64.

68. *Id.* ¶ 66.

69. *Id.* ¶ 68(1).

70. *Id.*

71. *Id.* ¶ 68(2).

72. *Id.* ¶¶ 59(1)-(2).

73. *Id.* ¶ 59(3).

74. *Id.* ¶ 60.

## III. MERITS

A. *Composition of the Court*<sup>75</sup>

Rafael Nieto Navia, President  
Héctor Gros Espiell, Vice-President  
Rodolfo E. Piza Escalante, Judge  
Thomas Buergenthal, Judge  
Pedro A. Nikken, Judge  
Héctor Fix-Zamudio, Judge  
Rigoberto Espinal-Irías, Judge *ad hoc*

Charles Moyer, Secretary  
Manuel Ventura, Deputy Secretary

B. *Decision on the Merits*

**March 15, 1989:** The Court issues its Judgment on the Merits.<sup>76</sup>

The Court unanimously rejects the preliminary objection regarding failure to exhaust domestic remedies,<sup>77</sup> because:

*The Court finds it to be unnecessary to determine whether steps were taken to exhaust internal remedies because the State failed to object when it received the formal notice of the petition or when the Commission requested information.<sup>78</sup> The Court also noted that in this particular situation, where the State affirms that it has carried out a careful investigation and concluded that a person allegedly disappeared is not in its territory and has never been in its custody, then the State*

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75. Judge Jorge R. Hernández Alcerro recused himself pursuant to Article 19(2) of the Statute of the Court. The State appointed Rigoberto Espinal-Irias as judge *ad hoc*. Fairén Garbi and Solís Corrales v. Honduras, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 6, ¶ 12 (Mar. 15, 1989).

76. Fairén Garbi and Solís Corrales v. Honduras, Merits, Judgment.

77. *Id.* ¶ 163(1).

78. *Id.* ¶ 110.

may be said to have recognized that there are no domestic remedies for the victims.<sup>79</sup>

The Court did not refer to the alleged violations of:

Articles 4 (Right to Life), 5 (Right to Humane Treatment), and 7 (Right to Personal Liberty), in relation to Article 1 of the Convention to the detriment of Mr. Fairén Garbi and Ms. Solís Corrales,<sup>80</sup> because:

*The Court found unanimously that it has not been proven that Honduras is responsible for the disappearances of Mr. Fairén Garbi and Ms. Solís Corrales.*<sup>81</sup>

*Regarding the Commission's allegations against the State, the Court found there to be insufficient evidence to tie the disappearances of Mr. Fairén Garbi and Ms. Solís Corrales to the State.*<sup>82</sup>

*The Court discussed the occurrence of forced disappearances and stated that the practice is a violation of Article 7 (Right to Personal Liberty) because it violates the right of individuals to appear before a judge and to bring appropriate remedies to ascertain the legality of the measures that were taken.<sup>83</sup> Forced disappearance is also a violation of Article 5 (Right to Humane Treatment) because it is a "prolonged and coercive isolation" harmful to the mental and moral integrity of a person.<sup>84</sup> Furthermore, it is a violation of the Article 4 (Right to Life) because it implies the "secret execution of prisoners without a trial, and the hiding of their bodies."<sup>85</sup>*

*Although forced disappearances are a complex form of human rights violations, and the Court recognized that there was a repressive practice of forced disappearances in Honduras between 1981 and 1984,<sup>86</sup> the Court found there was insufficient evidence to relate the disappearances of Mr. Fairén Garbi and Ms. Solís Corrales to the State's practice of forced disappearances for political motives.<sup>87</sup> There*

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79. *Id.*

80. *Id.* ¶ 2.

81. *Id.* ¶ 163(2).

82. *Id.* ¶ 160.

83. *Id.* ¶ 148.

84. *Id.* ¶ 149.

85. *Id.* ¶ 150.

86. *Id.* ¶ 157.

87. *Id.* ¶¶ 155, 157-58.

was no evidence that the Honduran authorities had the two travelers under surveillance, that the travellers were suspected of being dangerous persons, or that the two were arrested or kidnapped on Honduran territory.<sup>88</sup> While some evidence did suggest that the travelers never entered Guatemala or Honduras, other evidence showed that the two entered Guatemala from Honduras and continued on to El Salvador.<sup>89</sup>

The Commission argued that “there can be no doubt that Mr. Fairén Garbi and Ms. Solís Corrales entered Honduran territory” because the State admitted to the travelers’ entry into Honduras, their emigration cards were peculiar, the State did not attempt to fully establish the identity of the body of the young man found in La Montañita, and the State Judiciary did not investigate the victims’ disappearance.<sup>90</sup> The Court, however, found this evidence to be circumstantial and inconclusive.<sup>91</sup>

The Court conceded that the State’s lack of diligence, as well as its lack of response to the Costa Rican Government, to the father of one of the victims, and to the Commission and Court with respect to the location and exhumation of the cadaver could support a presumption of government responsibility.<sup>92</sup> After reviewing all documentary evidence and oral testimony, however, the Court decided that in the absence of more concrete evidence, there was only a legal presumption that Mr. Fairén Garbi and Ms. Solís Corrales were victims of the governmental practice of forced disappearances.<sup>93</sup> Due to the many contradictions pointing in different directions, the Court concluded that Honduras was not responsible for the disappearances of Mr. Fairén Garbi and Ms. Solís Corrales.<sup>94</sup>

### C. Dissenting and Concurring Opinions

[None]

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88. *Id.* ¶ 158.

89. *Id.* ¶¶ 112-123, 155.

90. Fairén Garbi and Solís Corrales v. Honduras, Report on Merits, Report No. 16/84, Inter-Am. Comm’n H.R., Case No. 7951, ¶ 11(11) (Oct. 4, 1984).

91. Fairén Garbi and Solís Corrales v. Honduras, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 6, ¶ 158 (Mar. 15, 1989).

92. *Id.* ¶ 160.

93. *Id.* ¶ 157.

94. *Id.* ¶ 158.

## IV. REPARATIONS

[None]

A. *Compensation*

The Court unanimously finds it unnecessary to render a decision concerning costs.<sup>95</sup>

The Court awarded the following amounts:

## 1. Pecuniary Damages

[None]

## 2. Non-Pecuniary Damages

[None]

## 3. Costs and Expenses

[None]

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

[None]

B. *Deadlines*

[None]

## V. INTERPRETATION AND REVISION OF JUDGMENT

[None]

## VI. COMPLIANCE AND FOLLOW-UP

[None]

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95. *Id.* ¶ 163(3).

## VII. LIST OF DOCUMENTS

A. *Inter-American Court*

## 1. Preliminary Objections

[Fairén Garbi and Solís Corrales v. Honduras, Preliminary Objections, Judgment, Inter-Am. Ct. H.R. \(ser. C\) No. 2 \(Jun. 26, 1987\).](#)

## 2. Decisions on Merits, Reparations and Costs

[Fairén Garbi and Solís Corrales v. Honduras, Merits, Judgment, Inter-Am. Ct. H.R. \(ser. C\) No. 6 \(Mar. 15, 1989\).](#)

## 3. Provisional Measures

[None]

## 4. Compliance Monitoring

[None]

## 5. Review and Interpretation of Judgment

[None]

B. *Inter-American Commission*

## 1. Petition to the Commission

Fairén Garbi and Solís Corrales v. Honduras, Petition No. 7951, Inter-Am. Comm'n H.R. (Jan. 14, 1982).

## 2. Report on Admissibility

[None]

## 3. Provisional Measures

[None]

## 4. Report on Merits

[Fairén Garbi and Solís Corrales v. Honduras, Report on Merits, Report No. 16/84, Inter-Am. Comm'n H.R., Case No. 7951 \(Oct. 4, 1984\).](#)

Fairén Garbi and Solís Corrales v. Honduras, Report on Merits, Report No. 23/86, Inter-Am. Comm'n H.R., Case No. 7951 (Apr. 18, 1986).

## 5. Application to the Court

Fairén Garbi and Solís Corrales v. Honduras, Petition to the Court, Inter-Am. Comm'n H.R., Case No. 7951 (Apr. 24, 1986).

## VIII. BIBLIOGRAPHY

Michael Jose Corbera, *In the Wrong Place, at the Wrong Time: Problems with the Inter-American Court of Human Rights Use of Contentious Jurisdiction*, 25 VAND. J. TRANSNAT'L L. 919 (1993).

Claudio Grossman, *Disappearances in Honduras: The Need for Direct Victim Representation in Human Rights Litigation*, 15 HASTINGS INT'L & COMP. L. REV. 363 (1992).

Dinah Shelton, *Private Violence, Public Wrongs, and the Responsibility of States*, 13 FORDAM INT'L L.J. 1 (1989-1990).