

Pacheco Teruel et al. v. Honduras

ABSTRACT¹

This is the case of 107 suspected members of the Mara Salvatrucha (MS-13) gang, who died in May 2004 because of a fire in the San Pedro Sula Prison in Honduras. This case highlights a state's obligation to protect prison inmates, and diverges from other cases because, pursuant to a friendly settlement, the Court agreed to keep the specific sums awarded as reparation confidential.

I. FACTS

A. Chronology of Events

Early 1990s: Young adults begin to form gangs throughout Central America.²

August 2003: The State adopts a zero tolerance policy for gang activity, and adopts Decree No. 117-2003.³ The Decree redefines the offense of unlawful association, increases the punishment for the offense, and explicitly mentions the *Mara Salvatrucha* gang (“MS-13”) as an example of a form of unlawful association.⁴ Following Decree No. 117-2003, police often conduct mass warrantless arrests of individuals suspected of gang activity.⁵

As a result, State prisons become increasingly overpopulated.⁶ The State has twenty-four prisons that can hold a total of 8,280 inmates, but the estimated prison population is 10,931.⁷ Inmates live in unsanitary

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

2. Pacheco Teruel et al. v. Honduras, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 241, n.24 (Apr. 27, 2012).

3. *Id.* ¶ 26.

4. *Id.*

5. *Id.* ¶ 27.

6. *Id.* ¶ 28.

7. *Id.*

conditions.⁸ Prisons' electrical systems, drinking water, sanitation systems, and other facilities are in serious disrepair.⁹

The San Pedro Sula Prison is one such prison.¹⁰ Located in one of the most populous areas of San Pedro Sula, the Prison has twenty-one cells and can accommodate approximately 1,500 inmates, but houses over 2,000.¹¹ The Prison's electrical system is maintained by a prisoner and is known to have "a latent risk of fire."¹² The water system is also in disrepair and lacks fire hydrants.¹³

The San Pedro Sula Prison houses 183 suspected members of MS-13 in Cellblock 19.¹⁴ The block has only one exit, no ventilation, and no natural light.¹⁵ Cellblock 19 is overcrowded; each inmate lives in only one square meter of space.¹⁶ The cell's inmates do not receive proper medical care, the food is poor, there is no visiting area, and the inmates lack access to recreational and rehabilitation programs.¹⁷

March 2004: San Pedro Sula's Prison Director is aware of the fire hazard and writes to the Manager of the North-Northwest Division of the National Electricity Company to request help to improve the electrical system within the prison.¹⁸

April 20, 2004: A group of inmates start an uprising in the prison dining room.¹⁹ Inmates detonate Molotov cocktails in the cells of inmates who are part of the *mara*.²⁰

April 21, 2004: The Enforcement Court of the Judicial Section of San Pedro Sula finds that the prison suffers from overcrowding of cells, a proliferation of offenses, a lack of personnel to deal with the number of inmates, and corruption among the prison staff; it transfers *mara*

8. *Id.* ¶ 25.

9. *Id.*

10. *Id.* ¶ 29.

11. *Id.* As an example of the size of a cell in the San Pedro Sula Prison, the Merits indicate that Cell No. 19 is approximately 200 square meters. *Id.* ¶ 36.

12. *Id.* ¶ 32.

13. *Id.* ¶ 34.

14. Pacheco Teruel et al. v. Honduras, Report on Merits, Report No. 118/10, Inter-Am. Comm'n H.R., Case No. 12.580, ¶ 27 (Oct. 22, 2010).

15. Pacheco Teruel et al. v. Honduras, Merits, Reparations, and Costs, ¶ 37.

16. Pacheco Teruel et al. v. Honduras, Report on Merits, ¶ 27.

17. *Id.*

18. *Id.* ¶ 32.

19. *Id.* ¶ 30.

20. *Id.*

inmates out of the prison for their own protection.²¹ The judge finds that inmates exercise a great deal of control in the prison, to the extent that prison guards allowed inmates to bring weapons and bombs into the prison.²²

May 17, 2004: In the early morning, between 1:30 a.m. and 2:00 a.m., a fire breaks out in Cellblock 19.²³ The fire ignites on the inside of the upper left portion of the entrance to the cellblock.²⁴ When the prison guards become aware of the fire and arrive at the cellblock's main gate, they ignore the inmates' cries for help.²⁵ The guards instead fire several shots and insult the inmates.²⁶ No efforts are made to put out the fire, as there was no running water in the block.²⁷

At 1:55 a.m. the prison director calls the Fire Department and National Police Headquarters to request assistance.²⁸ During the phone call, the prison guards search for the warden with the keys to the cells.²⁹ At 2:05 a.m. the prison warden opens the locks to the first and second gates to Cellblock 19.³⁰ The Fire Department arrives minutes after the gates are opened.³¹

The fire kills 107 inmates and severely injures twenty-six.³² Autopsies reveal that at least 101 of the victims died from carbon monoxide inhalation due to extended exposure to the fire.³³

Mr. Rómulo Emiliani, Auxiliary Bishop of San Pedro Sula, arrives at the scene of the fire at 3:45 am, after the fire has been extinguished.³⁴ While at the prison, Mr. Emiliani hears inmates from a different cellblock yelling insults about the fire's victims, and lamenting that there were survivors.³⁵ The prison guards tell Mr. Emiliani that when they realized which cell was on fire, they did not dare open the door for fear of a riot.³⁶

21. *Id.* ¶¶ 30, 31.

22. *Id.* ¶ 31.

23. *Id.* ¶ 27.

24. *Id.*

25. Pacheco Teruel et al. v. Honduras, Merits, Reparations, and Costs, ¶ 44.

26. *Id.*

27. *Id.* ¶ 65.

28. Pacheco Teruel et al. v. Honduras, Report on Merits, ¶ 27.

29. *Id.*

30. *Id.*

31. *Id.*

32. Pacheco Teruel et al. v. Honduras, Merits, Reparations, and Costs, ¶ 2.

33. *Id.* ¶ 29.

34. *Id.* ¶ 30.

35. *Id.*

36. *Id.*

August 11, 2004: The Public Prosecutor's Office indicts the Director of the San Pedro Sula Prison with the Criminal Court of the San Pedro Sula Judicial District for manslaughter and dereliction of duty.³⁷

September 1, 2004: The Judge dismisses the case against the Prison Director on the grounds that the prosecution failed to introduce sufficient evidence proving beyond a reasonable doubt that the Prison Director was responsible for the prison's dismal conditions.³⁸

September 6, 2004: The Public Prosecutor's Office files an appeal challenging the dismissal of the case against the Prison Director.³⁹

November 22, 2004: The Appellate Court dismisses the appeal and upholds the lower court's decision.⁴⁰ The Public Prosecutor's Office appeals.⁴¹

January 10, 2005: The Constitutional Chamber of the Honduran Supreme Court declares an *amparo* petition inadmissible.⁴²

September 27, 2005: The Supreme Court denies the Public Prosecutor's Office *amparo* petition.⁴³

2008: The State's prison population has risen to 11,723 inmates.⁴⁴

B. Other Relevant Facts

At the time of judgment, according to the State, the Honduran prison system suffered from a "prison emergency."⁴⁵ This fire is one of a number of serious fires that broke out in Honduran prisons.⁴⁶ Two fires also broke out on February 4, 2012, and March 29, 2012, killing

37. *Id.* ¶ 51.

38. *Id.* ¶ 53.

39. *Id.* ¶ 54.

40. *Id.* ¶ 55.

41. *Id.* ¶ 23.

42. *Id.*

43. *Id.* ¶ 24.

44. *Id.* ¶ 28.

45. *Id.* ¶ 25.

46. *Id.* ¶ 24.

367 and thirteen people, respectively.⁴⁷

II. PROCEDURAL HISTORY

A. Before the Commission

July 14, 2005: *Pastoral Penitenciaria, CARITAS Sampedrana*, and the *Equipo de Reflexión, Investigación y Comunicación* (“ERIC”) present a petition on behalf of the victims and their next of kin to the Inter-American Commission on Human Rights.⁴⁸

October 17, 2008: The Commission adopts Report on Admissibility No. 78/08.⁴⁹ The State alleges that the fire broke out in Cellblock 19 because the electrical system, overloaded by too many appliances, overheated.⁵⁰ The State further maintains that it appropriately investigated the incident, that the investigation took a long time due to the complexity of the issues involved, and that the investigation is ongoing.⁵¹ The State blames the defective prison conditions on a shortage of resources.⁵²

October 22, 2010: The Commission adopts Merits Report No. 60/10.⁵³ The Commission finds that the State violated Articles 4 (Right to Life), 5 (Right to Humane Treatment), 7 (Right to Personal Liberty), 8 (Right to a Fair Trial), 9 (Freedom from *Ex Post Facto* Laws), 25 (Right to Judicial Protection), in relation to Article 1(1) (Obligation to Respect Rights), and 2 (Domestic Legal Effects) of the American Convention on Human Rights.⁵⁴ The Commission found these violations for a number of reasons: a) the State’s failure to comply with its duties as guarantor of prisoners’ rights; b) the arbitrary arrests of the victims; c) the substandard prison conditions; d) the State’s inappropriate and inadequate response to the fire; e) the State’s inadequate efforts to identify the victims of the fire and e) the State’s minimal efforts in apprehending the culpable parties.⁵⁵

47. *Id.*

48. *Id.* ¶ 1.

49. *Id.* ¶ 3.

50. *Id.*

51. *Id.*

52. *Id.*

53. *Id.*

54. *Id.* ¶ 5.

55. *Id.* ¶¶ 58-142.

B. Before the Court

March 11, 2011: The Commission submits the case to the Court after the State failed to adopt its recommendations.⁵⁶

1. Violations Alleged by Commission⁵⁷

Article 4 (Right to Life)

Article 5 (Right to Humane Treatment)

Article 7 (Right to Personal Liberty)

Article 8 (Right to a Fair Trial)

Article 9 (Freedom from *Ex Post Facto* Laws)

Article 25 (Right to Judicial Protection)

all in relation to:

Article 1(1) (Obligation to Respect Rights)

Articles 2 (Domestic Legal Effects) of the American Convention.

2. Violations Alleged by Representatives of the Victims⁵⁸

Same violations alleged by the Commission.

III. MERITS

A. Composition of the Court

Diego García-Sayán, President

Manuel E. Ventura Robles, Vice-President

Leonardo A. Franco, Judge

Margarette May Macaulay, Judge

Rhadys Abreu Blondet, Judge

Alberto Pérez Pérez, Judge

Eduardo Vío Grossi, Judge

Pablo Saavedra Alessandri, Secretary

56. Pacheco Teruel et al. v. Honduras, Petition to the Court, Inter-Am. Comm'n H.R., Case No. 12.580, ¶ 1 (March 11, 2011).

57. Pacheco Teruel et al. v. Honduras, Merits, Reparations, and Costs, ¶ 3.

58. Pacheco Teruel et al. v. Honduras, Report on Merits, ¶ 2. *Pastoral Penitenciaria, CARITAS Sampedrana*, and the *Equipo de Reflexión, Investigación, y Comunicación* served as representatives of the victims and their next of kin.

Emilia Segares Rodríguez, Deputy Secretary

B. Decision on the Merits

February 28, 2012: The State enters a friendly settlement agreement and acknowledges international responsibility for the human rights violations arising out of the fire.⁵⁹

April 27, 2012: The Court issues its Judgment on Merits, Reparations, and Costs.⁶⁰

The Court found, by eight votes to one, that Honduras had violated:

Article 4(1) (Prohibition of Arbitrary Deprivation of Life), in relation to Article 1(1) of the Convention, to the detriment of the 107 victims of the fire,⁶¹ because:

The State acknowledged responsibility for violating Article 4(1) (Prohibition of Arbitrary Deprivation of Life).⁶² The 107 victims of the fire died as a result of a series of omissions by the authorities, and the authorities' negligence in preventing the fire.⁶³ The Court therefore found that the State violated the victims' right to life enshrined in Article 4(1) (Prohibition of Arbitrary Deprivation of Life) of the American Convention.⁶⁴

Articles 5(1) (Right to Physical, Mental and Moral Integrity) and 5(2) (Prohibition of Torture, Cruel, Inhumane or Degrading Treatment), in relation to Article 1(1) of the Convention, to the detriment of the 107 victims,⁶⁵ because:

The inmates were incarcerated under conditions that constituted cruel, inhuman, and degrading treatment.⁶⁶ Among these conditions were severe overcrowding, and a lack of ventilation and natural light in Cell

59. *Id.* ¶ 121.

60. Pacheco Teruel et al. v. Honduras, Merits, Reparations, and Costs.

61. *Id.* ¶ 60.

62. *Id.*

63. *Id.*

64. *Id.*

65. *Id.*

66. *Id.* ¶ 65.

19.⁶⁷

Furthermore, the water service was inadequate and, at the time of the fire, there was no running water.⁶⁸ The cell's inmates did not receive proper medical care, the food was poor, there was no visiting area, and the inmates lacked access to recreational and rehabilitation programs.⁶⁹ Finally, the manner of the victims' deaths constituted a violation of the right to humane treatment that was incompatible with respect for human dignity.⁷⁰

In addition, the prison had an inadequate electrical system that, when overloaded with appliances, short-circuited, causing the fire.⁷¹ At the time of the fire, the prison lacked adequate mechanisms to prevent and fight fires.⁷² The prison staff's only instructions for such situations were to call the fire department and to shoot at the ground.⁷³ When the fire started, the inmates were trapped in the cell for about an hour, which led many of them to die of asphyxiation and severe burns.⁷⁴

These conditions violate the standards on prison conditions established by the Inter-American Court of Human Rights enshrined in Articles 5(1) (Right to Physical, Mental and Moral Integrity) and 5(2) (Prohibition of Torture, Cruel, Inhumane or Degrading Treatment).⁷⁵

Article 5(6) (Detention Must Aim to Reform and Rehabilitate), in relation to Article 1(1) of the Convention, to the detriment of the 107 inmates,⁷⁶ because:

The State did not allow the inmates to engage in productive activities, because they were suspected members of the MS-13.⁷⁷ This lack of inmate access to productive activities implies that the State's aim in detaining the inmates was not reform and social re-adaptation, which

67. *Id.*

68. *Id.*

69. *Id.*

70. *Id.*

71. *Id.* ¶ 66.

72. *Id.*

73. *Id.*

74. *Id.*

75. *Id.* ¶ 67.

76. *Id.* ¶ 60.

77. *Id.*

*contravenes Article 5(6) (Detention Must Aim to Reform and Rehabilitate) of the Convention.*⁷⁸

Article 5(4) (Right of Accused to Be Segregated from Convicted Persons), in relation to Article 1(1) of the Convention, to the detriment of twenty-two inmates subject to pre-trial detention for the offense of unlawful association,⁷⁹ because:

*These inmates shared the same cell as inmates who had been sentenced and convicted.*⁸⁰ *Article 5(4) (Right of Accused to Be Segregated from Convicted Persons) of the Convention mandates that prisoners who have been accused but not yet convicted of a given crime have a right to be imprisoned separately from those who have been convicted.*⁸¹ *By failing to separate the twenty-two inmates subject to pre-trial detention for the offense of unlawful association, the State violated Article 5(4) (Right of Accused to Be Segregated from Convicted Persons).*⁸²

Article 5(1) (Right to Physical, Mental and Moral Integrity), in relation to Article 1(1) of the Convention, to the detriment of the group of eighty-three individualized next of kin of the victims,⁸³ because:

*The ill-treatment of those who died during the fire inevitably caused those prisoners to suffer.*⁸⁴ *In addition, the delay in the procedures to identify and claim the bodies in the morgue, and the authorities' lack of action to clarify and establish responsibilities for the events, indicated disrespect for the deceased.*⁸⁵ *The resulting uncertainty about the fates of the inmates caused the inmates' next of kin insurmountable anguish and suffering.*⁸⁶ *Therefore, the Court found that the State violated Article 5(1) (Right to Physical, Mental and Moral Integrity).*⁸⁷

Articles 7 (Right to Personal Liberty) and 9 (Freedom from Ex Post Facto Laws), in relation to Articles 1(1) and 2 of the Convention,

78. *Id.*

79. *Id.*

80. *Id.*

81. *Id.*

82. *Id.*

83. *Id.*

84. *Id.*

85. *Id.*

86. *Id.* ¶ 71.

87. *Id.*

to the detriment of the 107 victims,⁸⁸ because:

The Honduran Legislative Decree 117-2003, which reformed article 332 of the Honduran Criminal Code, concerning the so-called "Anti-Maras Law," failed to specify which activities would be considered punishable.⁸⁹ This vagueness resulted in criminal responsibility being determined in an arbitrary and discretionary manner by Honduran law enforcement authorities, who were given wide discretion in making arrests.⁹⁰ These circumstances resulted in widespread arbitrary detention of individuals based on their perceived or suspected membership in a mara.⁹¹

The law's vagueness thus puts it in conflict with the State's responsibility to ensure that the exercise of police power does not violate fundamental human rights.⁹² As such, this reform violated the legality principle established in Article 9 (Freedom from Ex Post-Facto Laws) of the Convention.⁹³ Moreover, the detentions carried out on the basis of the Decree were arbitrary under the provisions of Article 7(3) (Prohibition of Arbitrary Arrest or Imprisonment) of the American Convention.⁹⁴

Articles 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 the victims' next of kin,⁹⁵ because:

Despite the passage of significant time since the events of this case, the State has not assessed or assigned responsibility for the incident, even though the causes of the fire were established immediately after the fire.⁹⁶ The seven years that have elapsed at the time of this judgment since the fire exceed a reasonable time period for the type of investigation that is warranted by the events of this case.⁹⁷ Therefore, the State has failed to provide the victims' next of kin with an effective

88. *Id.* ¶ 61.

89. *Id.*

90. *Id.*

91. *Id.*

92. *Id.*

93. *Id.*

94. *Id.*

95. *Id.* ¶ 62.

96. *Id.*

97. *Id.*

*remedy to ascertain what happened and to establish the corresponding responsibilities.*⁹⁸

C. Dissenting and Concurring Opinions

1. Separate Opinion of Judge Eduardo Vio Grossi

In a separate opinion, Judge Vio Grossi disagreed with the Judgment.⁹⁹ Judge Vio Grossi argued that the amounts of reparations and compensation should have been revealed in the Judgment.¹⁰⁰ Judge Vio Grossi based his argument on procedural, practical, and policy grounds.¹⁰¹

From a procedural perspective, Judge Vio Grossi argues that the Court was not obligated to accept the friendly settlement agreement in whole.¹⁰² As such, Judge Vio Grossi contends that though the friendly settlement agreement asked that the amounts of reparations and compensation be kept confidential, the Court did not have to comply with this specific provision of the friendly settlement agreement to accept the agreement's terms overall.¹⁰³

From a practical perspective, Judge Vio Grossi argued that the State would ultimately have to reveal the amounts of reparations and compensation ordered to the government agencies that would be in charge of implementing the Judgment and disbursing the reparations and compensation amounts to the designated beneficiaries.¹⁰⁴ As such, Judge Vio Grossi argued, it made no sense for the Court to keep the amounts confidential, as they would ultimately be revealed.¹⁰⁵

Finally, from a policy perspective, Judge Vio Grossi argued that the amounts of reparations and compensation agreed upon in the friendly settlement agreement should be revealed both for the sake of transparency as well as for the benefit of third parties who, though not parties to the instant case because their information and identities were

98. *Id.*

99. Pacheco Teruel et al. v. Honduras, Merits, Reparations, and Costs, Judgment, Separate Opinion of Judge Eduardo Vio Grossi, Inter-Am. Ct. H.R. (ser. C) No. 241 (Apr. 27, 2012). Judge Eduardo Vio Grossi's opinion did not include numbered paragraphs.

100. *Id.*

101. *Id.*

102. *Id.*

103. *Id.*

104. *Id.*

105. *Id.*

unknown, are nonetheless entitled to the proceeds from the Judgment.¹⁰⁶

IV. REPARATIONS

The Court ruled unanimously that the State had the following obligations:

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

1. Non-Repetition Guarantee

The State must implement immediate measures aimed at guaranteeing the fundamental rights of prisoners, as well as measures to prevent fires in the different prisons indicated in the friendly settlement agreement.¹⁰⁷

Additionally, the State must construct and improve the physical conditions of the prisons in accordance with the friendly settlement agreement.¹⁰⁸ As part of the friendly settlement agreement, the State agreed to build a prison to replace the existing San Pedro Sula Prison that would respond to the need to improve the living conditions of the inmates according to the corresponding international standards.¹⁰⁹ The State also undertook to improve the physical conditions of the nine prisons found to be in a state of emergency.¹¹⁰

2. Adopt Legislative Measures

The State must review, modify, or repeal Article 332 of the Penal Code and other similar legislative provisions or regulations to bring them in compliance with Articles 7 (Right to Personal Liberty), 9 (Freedom from *Ex Post Facto* Laws), and 24 (Right to Equal Protection) of the American Convention.¹¹¹

106. *Id.*

107. Pacheco Teruel et al. v. Honduras, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 241, ¶ 97 (Apr. 27, 2012).

108. *Id.* ¶ 97.

109. *Id.*

110. *Id.*

111. *Id.* ¶ 98(a).

Also, the State must approve the Law on the National Penitentiary System submitted to Congress on April 27, 2005, creating the penitentiary institute and career, and must consider separating the Prison Police from the National Police.¹¹²

Additionally, the State must review and modify the section of the Special Regulations for the Operation of the National Penitentiary System relating to prison staff and the Administrative Segregation Center, to bring it in compliance with international standards.¹¹³

Furthermore, the State must draft and approve the Prison Administration Manual, in line with international standards for the humane treatment of persons deprived of liberty contained in the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment and in Inter-American case law.¹¹⁴ The manual must contain, among other things, action protocols for the prison authorities with regard to those persons deprived of liberty who have been recently admitted, those who are in rehabilitation, and those who are being reintegrated into society, and prompt and effective procedures to investigate possible torture, cruel, inhuman or degrading treatment.¹¹⁵

3. Train Prison Officials and Develop Emergency Plans

The State must implement training programs for prison police and civilian personnel that include human rights education, and emergency and evacuation plans in case of fire or other types of disasters.¹¹⁶

4. Provide Psychological or Psychiatric Treatment

The State must provide, free of charge, and through its specialized health institutions, immediate, appropriate, and effective medical, psychological or psychiatric treatment to the next of kin declared victims in this case.¹¹⁷ Such services must include the provision, free of charge, of any medication that may be required taking into consideration the problems of each victim.¹¹⁸ The respective treatments must be provided in centers closest to the recipients' places of residence

112. *Id.* ¶ 98(b).

113. *Id.* ¶ 98(c).

114. *Id.* ¶ 98(d).

115. *Id.*

116. *Id.* ¶ 113.

117. *Id.* ¶ 115.

118. *Id.*

in the Republic of Honduras, for as long as necessary.¹¹⁹ In the provision of psychological or psychiatric treatment, the specific circumstances and needs of each victim must be considered so that they are provided with family and individual care.¹²⁰

5. Publically Acknowledge Responsibility

The State must publish once, within six months of notification of this Judgment, the official summary of the Judgment prepared by the Court in the Official Gazette; the same official summary in a national newspaper with widespread circulation; and this Judgment, in its entirety available for at least one year on an appropriate official website.

Under the friendly settlement agreement, the State acknowledged international responsibility during the public hearing of February 28, 2012.¹²¹ Additionally, the State must hold an official public acknowledgment of international responsibility on May 17, 2013, for the victims and their next of kin in relation to the factual and legal issues established in the Commission's Merits Report.¹²² This public acknowledgment must be made by the President of the Republic and an invitation must be sent to the entire Cabinet, the heads of the Attorney General's Office, the Prosecutor General's Office and the Supreme Court of Justice.¹²³ The event must be organized in coordination with the representatives.¹²⁴ The State must try to ensure that most of the victims' next of kin attend this ceremony.¹²⁵ To this end, the State must facilitate the necessary transport and logistics for participants.¹²⁶

6. Investigate, Prosecute, and Punish

The State must conduct a serious, impartial and effective investigation of the facts of this case in order to establish the truth and the corresponding criminal, administrative and disciplinary responsibilities, and impose the punishments and consequences provided for by law.¹²⁷

119. *Id.*

120. *Id.*

121. *Id.* ¶ 121.

122. *Id.*

123. *Id.*

124. *Id.*

125. *Id.*

126. *Id.*

127. *Id.* ¶ 128.

B. Compensation

The Court did not record the exact amounts of pecuniary and non-pecuniary damages, and costs and expenses at the parties' request.¹²⁸

1. Pecuniary Damages

Not Recorded.

2. Non-Pecuniary Damages

Not Recorded.

3. Costs and Expenses

Not Recorded.

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

Not Recorded.

C. Deadlines

The State must pay the compensation for pecuniary and non-pecuniary damages and the reimbursement of costs and expenses established in the Judgment directly to the persons and organization indicated in the Judgment, within the time frames established in the friendly settlement agreement.¹²⁹

V. INTERPRETATION AND REVISION OF JUDGMENT

[None]

VII. COMPLIANCE AND FOLLOW-UP

October 27, 2012: After the media reported the State's compliance with its compensation payments, three armed men threatened to kill Mrs.

128. *Id.* ¶ 131.

129. *Id.* ¶ 138.

Lorena Ramos's daughters.¹³⁰

November 9, 2013: Mrs. Lorena Ramos encountered a man in her house.¹³¹ She subsequently moved her family to another city.¹³²

February 13, 2013: Per a representatives' petition, the Court ordered the State to take provisional measures to protect Mrs. Lorena Ramos and her daughters.¹³³

August 21, 2013: The Court lifted the provisional measures at the request of Mrs. Lorena Ramos.¹³⁴ Mrs. Lorena Ramos no longer felt threatened after changing her address and telephone number.¹³⁵

VIII. LIST OF DOCUMENTS

A. *Inter-American Court*

1. Preliminary Objections

[None]

2. Decisions on Merits, Reparations, and Costs

[Pacheco Teruel et al. v. Honduras, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. \(ser. C\) No. 241 \(Apr. 27, 2012\).](#)

[Pacheco Teruel et al. v. Honduras, Merits, Reparations, and Costs, Judgment, Separate Opinion of Judge Eduardo Vio Grossi, Inter-Am. Ct. H.R. \(ser. C\) No. 241 \(Apr. 27, 2012\).](#)

3. Provisional Measures

[Pacheco Teruel et al. v. Honduras, Provisional Measures, Order of the](#)

130. Pacheco Teruel et al. v. Honduras, Request for Provisional Measures, Inter-Am. Ct. H.R. (ser. C) No. 241, "Having Seen" ¶ 3 (Feb. 13, 2013).

131. *Id.*

132. *Id.*

133. *Id.* "Decides" ¶ 1.

134. Pacheco Teruel et al. v. Honduras, Provisional Measures, Inter-Am. Ct. H.R. (ser. C) No. 241, "Decides" ¶ 1 (Aug. 21, 2013).

135. *Id.* "Considering that" ¶ 2.

[Court, Inter-Am. Ct. H.R. \(ser. E\) \(Aug. 21, 2013\).](#)

[Pacheco Teruel et al. v. Honduras, Provisional Measures, Order of the Court, Inter-Am. Ct. H.R. \(ser. E\) \(Feb. 13, 2013\).](#)

[Pacheco Teruel et al. v. Honduras, Provisional Measures, Order of the President of the Court, Inter-Am. Ct. H.R. \(ser. E\) \(Feb. 29, 2012\) \(Available only in Spanish\).](#)

[Pacheco Teruel et al. v. Honduras, Provisional Measures, Order of the President of the Court, Inter-Am. Ct. H.R. \(ser. E\) \(Jan. 27, 2012\).](#)

4. Compliance Monitoring

[None]

5. Review and Interpretation of Judgment

[None]

B. Inter-American Commission

1. Petition to the Commission

Pacheco Teruel et al. v. Honduras, Petition No. 75-05, Inter-Am. Comm'n H.R. (July 14, 2005).

2. Report on Admissibility

[Pacheco Teruel et al. v. Honduras, Admissibility Report, Report No. 78/08, Inter-Am. Comm'n H.R., Case No. 12.580 \(Oct. 17, 2008\).](#)

3. Provisional Measures

[None]

4. Report on Merits

[Pacheco Teruel et al. v. Honduras, Report on Merits, Report No. 118/10, Inter-Am. Comm'n H.R., Case No. 12.580 \(Oct. 22, 2010\).](#)

5. Application to the Court

Pacheco Teruel et al. v. Honduras, Petition to the Court, Inter-Am. Comm'n H.R., Case No. 12.580 (Mar. 11, 2011).

VIII. BIBLIOGRAPHY

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Alexandra R. Harrington, *Life as We Know It: The Expansion of the Right to Life Under the Jurisprudence of the Inter-American Court of Human Rights*, 35 LOY. L.A. INT'L & COMP. L. REV. 313 (2013).

Honduras Profile, BBC NEWS, <http://www.bbc.com/news/world-latin-america-18974519> (Jan. 31, 2014).