

# Massacres of Río Negro v. Guatemala

## I. COMPLIANCE AND FOLLOW-UP ADDENDUM<sup>1</sup>

**August 21, 2014:** The Court declared that the State was blatantly refusing to implement two of the Court's Judgments (*Río Negro Massacres* and *Gudiel Álvarez et al.*).<sup>2</sup> The Court found the State's position to be an act of contempt, contrary to its international obligations, and thus ordered the State to adopt all necessary measures as soon as possible to comply with the Judgments.<sup>3</sup>

**May 25, 2017:** The Court sent several representatives to the Colonia Pacux Territory to assess the State's compliance with the Judgement with regards to building, improving, and providing infrastructure and basic services for the area.<sup>4</sup> From its observations, the Court found no compliance and ordered the State to: (1) strengthen the Pacux Health Center because despite the Judgment requiring the State to do so, the center was not even open,<sup>5</sup> (2) specifically address the State's compliance with providing food safety and nutritional programs in its next report because the Court had insufficient information to determine compliance,<sup>6</sup> (3) improve the streets of the territory given that the roads were still made of dirt and flooded during the rainy season,<sup>7</sup> (4) update the Court on the State's proposed measures to implement a sewage system since the State had not taken action since the Judgment,<sup>8</sup> (5) comply with the Judgment's provision of providing potable water because "98% of the water was contaminated with . . . *Escherichia coli*["]<sup>9</sup> (6) report on additional measures the State plans to adopt to comply with establishing primary

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2. *Río de Negro Massacres and Gudiel Álvarez et al. v. Guatemala*, Monitoring Compliance with Judgment, Order of the Court, Inter-Am. Ct. H.R. "Considering That," ¶ 1 (Aug. 21, 2014).

3. *Id.* "Resolves," ¶1-2.

4. *Río de Negro Massacres v. Guatemala*, Monitoring Compliance with Judgment, Order of the Court, Inter-Am. Ct. H.R. "Considering That," ¶ 4 (May 25, 2017).

5. *Id.* ¶¶ 10, 14.

6. *Id.* ¶ 15.

7. *Id.* ¶¶ 16, 17.

8. *Id.* ¶¶ 21, 22.

9. *Id.* ¶¶ 23, 26.

and secondary education programs that satisfy with international standards,<sup>10</sup> and (7) provide electricity at an affordable rate commensurate to the people's income levels.<sup>11</sup>

The State fully complied with its obligation to publish the Official Summary of the Judgment in the official gazette and a national newspaper in both Spanish and Maya Achí, but only partially complied with its obligation to publish the Judgment on an official website because the publication was only in Spanish and not Maya Achí.<sup>12</sup> Additionally, the State failed to comply with its obligation to distribute the Official Summary of the Judgment to the settlement communities of the Baja Verapaz department.<sup>13</sup>

The Court kept open the proceeding for monitoring compliance with regard to investigating the violations, searching for the victims, publishing the Judgment as mentioned above, publicly recognizing international responsibility, and implementing the infrastructure and service repairs explained above.<sup>14</sup>

**March 14, 2018:** The State fully complied with its obligation to reimburse the victims' representatives \$50,000 for costs and expenses incurred.<sup>15</sup> The Court kept open the proceeding for monitoring compliance with regard to designing and building a project for the preservation of Maya Achí culture, providing the victims medical and psychological treatment, compensating for pecuniary and non-pecuniary damages, and establishing an adequate mechanism for other members of the territory who believe they are victims of the human rights violations listed in the Judgment to file their claims and collect reparations as ordered in the Judgment.<sup>16</sup>

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10. Rio de Negro Massacres v. Guatemala, Monitoring Compliance with Judgment, Order of the Court, "Considering That," ¶ 32.

11. *Id.* ¶¶ 35.

12. *Id.* ¶¶ 40.

13. *Id.*

14. *Id.* "Resolves," ¶ 3.

15. Rio de Negro Massacres v. Guatemala, Monitoring Compliance with Judgment, Order of the Court, Inter-Am. Ct. H.R. "Considering That," ¶¶ 4, 5 (Mar. 14, 2018).

16. *Id.* "Resolves," ¶ 2.