

Maldonado Ordoñez v. Guatemala

ABSTRACT¹

This case is about the improper dismissal of a human rights ombudsman in Guatemala. It is noteworthy because the Court addressed the applicability of the right to a fair trial in the context of administrative proceedings. Eventually, the Court found Guatemala in violation of the American Convention.

I. FACTS

A. Chronology of Events

April 1, 1992: Ms. Olga Yolanda Maldonado Ordoñez begins work as a technician in the Department of Education in the Office of the Human Rights Ombudsman (Procuraduría de los Derechos Humanos) in the Department of Quetzaltenango.²

January 4, 1993: Ms. Maldonado Ordoñez assumes the position of an educator in the Department of Quetzaltenango, within the Office of the Human Rights Ombudsman.³

February 15, 2000: Ms. Maldonado Ordoñez stops working as an educator.⁴

February 16, 2000: Ms. Maldonado Ordoñez assumes an interim position of a departmental assistant at the Office of the Human Rights Ombudsman in the Quiché Department.⁵

February 21, 2000: Ms. Maldonado Ordoñez's brothers, Mr. Marco Tulio Maldonado Ordoñez, Mr. Joel Enrique Maldonado Ordoñez, Mr.

1. Kaylie O'Connor, Author; Kevin Zipser, Editor; Pamela Huynh, Senior IACHR Editor; Elizabeth Russo, Chief IACHR Editor; Cesare Romano, Faculty Advisor.

2. Maldonado Ordoñez v. Guatemala, Preliminary Exceptions, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 311, ¶ 32 (May 3, 2006).

3. *Id.*

4. *Id.*

5. *Id.*

José Roberto Maldonado Ordoñez and Mr. Oscar Armando Maldonado Ordoñez, provide the Office of the Human Rights Ombudsman with a written account accusing Ms. Maldonado Ordoñez of falsifying a public deed on October 11, 1994 and requesting that she be sanctioned.⁶

April 5, 2000: Ms. Maldonado Ordoñez is given notice of her brother's accusations and is told she has two days to present evidence to contest the claims.⁷ Ms. Maldonado Ordoñez presents evidence that prove the claims against her are false.⁸

May 16, 2000: The Office of the Human Rights Ombudsman dismisses Ms. Maldonado Ordoñez from her interim position as department assistant, as well as her ongoing position as an educator, effective May 18, 2000.⁹

May 18, 2000: Ms. Maldonado Ordoñez submits a letter of resignation for both positions as department assistant and educator citing health reasons.¹⁰

May 22, 2000: Ms. Maldonado Ordoñez submits a letter, which states that she had overcome her health issues and withdrew her resignation.¹¹ Ms. Maldonado Ordoñez files an appeal of the dismissal decision with the National Civil Service Office, requests they declare her dismissal inadmissible, and asks that she be reinstated to her positions within the Office of the Human Rights Ombudsman.¹²

May 24, 2000: The Chief of the Human Resources Unit of the Ombudsman's Office informs Ms. Maldonado Ordoñez that her resignation was not valid because she was notified of her dismissal prior to her resignation.¹³

6. *Id.* ¶ 33.

7. *Id.* ¶ 34.

8. Maldonado Ordoñez v. Guatemala, Merits, Reparations, and Costs ¶ 34.

9. *Id.* ¶ 35.

10. *Id.* ¶ 37.

11. *Id.* ¶ 37.

12. *Id.* ¶ 40.

13. *Id.* ¶ 37.

May 29, 2000: The National Civil Service Office informs Ms. Maldonado Ordoñez that they lack jurisdiction and therefore cannot resolve the matters of reinstatement and back pay reimbursement.¹⁴

May 31, 2001: Ms. Maldonado Ordoñez receives 11,727.48 quetzals (approximately \$1,524 U.S. Dollars) from the Office of the Human Rights Ombudsman to compensate the prorated amounts for her vacation pay, annual bonus, vacation bonus, specific supplementary pay, and Christmas bonus.¹⁵

June 2, 2000: Ms. Maldonado Ordoñez petitions the Office of the Human Rights Ombudsman to annul the dismissal decision.¹⁶

June 16, 2000: The Chief of the Human Resources Unit responds to Ms. Maldonado Ordoñez's petition, stating it is meritless.¹⁷

June 20, 2000: Ms. Maldonado Ordoñez files an appeal of her petition with the Court of Appeals in Labor and Social Security Matters.¹⁸

June 26, 2000: The Second Division of the Court of Appeals in Labor and Social Security Matters issues a decision declining to hear Ms. Maldonado Ordoñez's appeal because it lacked jurisdiction.¹⁹

August 23, 2000: Ms. Maldonado Ordoñez files an action of unconstitutionality before the Second Division regarding its June 26, 2000 decision on her case, which alleges her right to work and recourse to justice had been violated.²⁰

September 6, 2000: The Second Division rejects Ms. Maldonado Ordoñez's action of unconstitutionality and deems it inadmissible.²¹

September 8, 2000: Ms. Maldonado Ordoñez files an appeal to the Second Division's September 6, 2000 decision, stating that she has been

14. Maldonado Ordoñez v. Guatemala, Merits, Reparations, and Costs, ¶ 41.

15. *Id.* ¶ 38.

16. *Id.* ¶ 42.

17. *Id.* ¶ 43.

18. *Id.* ¶ 44.

19. *Id.* ¶ 45.

20. Maldonado Ordoñez v. Guatemala, Merits, Reparations, and Costs, ¶ 47.

21. *Id.* ¶ 48.

left without any legal protection because the entities that were supposed to provide her recourse to justice refused to hear her case.²²

October 9, 2001: The Constitutional Court declares Ms. Maldonado Ordoñez's appeal inadmissible.²³

II. PROCEDURAL HISTORY

A. *Before the Commission*

July 15, 2002: Ms. Maldonado Ordoñez, and attorneys, Dr. Alejandro Sanchez and Dr. Jorge Raul Rodriguez Ovalle, present a petition on behalf of Ms. Maldonado Ordoñez to the Inter-American Commission on Human Rights.²⁴

March 11, 2004: The Commission issues the Report on Admissibility and declares the petition is admissible with respect to Articles 8 (Right to a Fair Trial) and 25 (Right to Judicial Protection) of the Convention, all in relation to Article 1(1) (Obligation of Non-Discrimination) to the detriment of Ms. Maldonado Ordoñez.²⁵

The State argues the petition is inadmissible because Ms. Maldonado Ordoñez had access to various administrative channels to protect her interest and failed to exhaust all remedies available under domestic law.²⁶ The Commission rebuts the State's argument and holds that Ms. Maldonado Ordoñez pursued and exhausted all remedies available to her, including an attempt to reinstate her position.²⁷

July 17, 2004: The Commission issues Merits Report No. 42/14.²⁸

The State asks the Commission to find the petitioners claim meritless because Ms. Maldonado Ordoñez's failure to pursue the proper domestic remedies led to the failure of her appeals.²⁹ Furthermore, the State argues that the negative administrative and judicial decisions

22. *Id.* ¶ 49.

23. *Id.* ¶ 50.

24. Maldonado Ordoñez v. Guatemala, Admissibility Report, Report No. 36/04, Inter-Am. Comm'n H.R., Case No. 12.453, ¶ 1 (March 11, 2004).

25. *Id.* ¶ 28.

26. *Id.* ¶ 2.

27. *Id.* ¶ 18.

28. Maldonado Ordoñez v. Guatemala, Report on Merits, Report No. 42/14, Inter-Am. Comm'n H.R., Case No. 12.453, (July 17, 2014). 004

29. *Id.* ¶ 3.

against Ms. Maldonado Ordoñez were the result of her deficient counsel and not attributable to State conduct.³⁰

The Commission concludes the State failed to adequately inform Ms. Maldonado Ordoñez of the proper avenue to challenge her dismissal or what recourse she could seek.³¹ Consequently, the Commission holds the State violated Articles 8(1) (Right to a Hearing Within Reasonable Time by a Competent and Independent Tribunal), 8(2) (Right to Be Presumed Innocent), 9 (Freedom from Ex Post Facto Laws) and 25 (Right to Judicial Protection), in relation to the Article 1(1) (Obligation of Non-Discrimination), of the American Convention to the detriment of Ms. Maldonado Ordoñez.³²

In light of the foregoing violations, the Commission recommended the State to: (1) provide adequate reparations to Ms. Maldonado Ordoñez for her material and moral injuries;³³ (2) expunge Ms. Maldonado Ordoñez's disciplinary record of any entries related to the penalty imposed;³⁴ and (3) adopt measures to prevent repetition and ensure civil servants have access to effective and proper recourse to challenge disciplinary proceedings.³⁵

B. *Before the Court*

December 3, 2014: The Commission submits the case to the Court after the State failed to adopt its recommendations.³⁶

June 12, 2015: The State raises a preliminary objection alleging that the petitioner failed to exhaust domestic remedies.³⁷

1. Violations Alleged by Commission³⁸

Article 8(1) (Right to a Hearing Within Reasonable Time by a Competent and Independent Tribunal)

Article 8(2) (Right to Be Presumed Innocent)

Article 9 (Freedom from Ex Post Facto Laws)

30. *Id.* ¶ 23. 004

31. *Id.* ¶ 80. 004

32. *Id.* ¶ 113. 004

33. *Id.* "Recommends" ¶ 1.

34. Maldonado Ordoñez v. Guatemala, Report on Merits, "Recommends" ¶ 2.

35. *Id.* "Recommends" ¶ 3.

36. Maldonado Ordoñez v. Guatemala, Merits, Reparations, and Costs, ¶ 1.

37. *Id.* ¶ 7.

38. Maldonado Ordoñez v. Guatemala, Report on Merits, ¶ 113.

Article 25 (Right to Judicial Protection)

all in relation to:

Article 1(1) (Obligation of Non-Discrimination) of the American Convention.

2. Violations Alleged by Representatives of the Victims³⁹

Same Violations Alleged by the Commission, plus:

Article 2 (Obligation to Give Domestic Legal Effect to Rights) of the American Convention.

III. Merits

A. *Composition of the Court*

Roberto F. Caldas, President
Eduardo Ferrer Mac-Gregor Poisot, Vice President
Eduardo Vio Grossi, Judge
Humberto Antonio Sierra Porto, Judge
Elizabeth Odio Benito, Judge
Eugenio Raul Zaffaroni, Judge
L. Patricio Pazmino Freire, Judge

Pablo Saavedra Alessandri, Secretary
Emilia Segares Rodriguez, Deputy Secretary

B. *Decision on the Merits*

May 3, 2016: The Court issues its Judgment on Preliminary Objection, Merits, Reparations, and Costs.⁴⁰

The Court found unanimously,

To reject the State's preliminary objections,⁴¹ because:

39. *Maldonado Ordoñez v. Guatemala, Merits, Reparations, and Costs*, ¶ 6. . Dr. Rodríguez Ovalle, Dr. Sánchez Garrido, and Ms. Astrid Odete Escobedo Barrondo served as representatives of Ms. Maldonado Ordoñez.

40. *Id.*

41. *Id.* "Resolution Points," ¶ 1.

*Although the State provided Ms. Maldonado Ordoñez with some domestic remedies, it failed to clarify what the proper recourse was to effectively challenge the disciplinary proceedings against her.*⁴²

The Court found unanimously that Guatemala had violated:

Article 8(2)(b) (Right to Have Prior Notification of Charges), in relation to Article 1(1) (Obligation of Non-Discrimination) of the Convention, to the detriment of Ms. Olga Maldonado Ordonez,⁴³ because:

*The Court noted that the letter that notified Ms. Maldonado Ordoñez of the dismissal did not explain why the conduct alleged by her brothers justified the dismissal.*⁴⁴ *The Court found that the letter did not provide a specific reason as to why Ms. Maldonado Ordoñez was being subjected to disciplinary proceedings nor did it specify the possibility of employment termination.*⁴⁵

Article 8(2)(c) (Right to Adequate Time and Means to Prepare Defense), in relation to Article 1(1) (Obligation of Non-Discrimination) of the Convention, to the detriment of Ms. Maldonado Ordoñez,⁴⁶ because:

*The Court found that due to the lack of clarity regarding the charges against Ms. Maldonado Ordoñez, she was not given adequate time and means to prepare an appropriate defense.*⁴⁷ *From the onset Ms. Maldonado Ordoñez was not sufficiently informed about the grounds of the proceedings against her.*⁴⁸ *In fact, it remained unclear if she needed to establish her brother's statements were false, or if she was required to address a separate violation of internal personnel regulations in mounting a proper defense.*⁴⁹ *Thus, the lack of clear information constituted a breach of the guarantee to mount a proper defense.*⁵⁰

42. *Id.* ¶ 25.

43. *Id.* “Resolution Points,” ¶ 2.

44. *Id.* ¶ 81.

45. Maldonado Ordoñez v. Guatemala, Merits, Reparations, and Costs, ¶ 83.

46. *Id.* “Resolution Points,” ¶ 3.

47. *Id.* ¶ 84.

48. *Id.* ¶ 81.

49. Maldonado Ordoñez v. Guatemala, Report on Merits, ¶ 80. 004

50. Maldonado Ordoñez v. Guatemala, Merits, Reparations, and Costs, ¶ 84.

Articles 8(1) (Right to a Hearing Within Reasonable Time by a Competent and Independent Tribunal) and 9 (Freedom from *Ex Post Facto* Laws), in relation to Article 1(1) (Obligation of Non-Discrimination) of the Convention, to the detriment of Ms. Maldonado Ordoñez,⁵¹ because:

The Court has established that Article 8 of the Convention guarantees a presumption of innocence in both criminal and administrative proceedings.⁵² This protection ensures individuals are not subject to disciplinary proceedings with no basis in law.⁵³ Thus, the Human Rights Ombudsman was obligated to not only adequately explain the basis of Ms. Maldonado Ordoñez's dismissal, but also substantiate their reasoning with facts and law.⁵⁴ The Court held that the facts alleged by the Human Rights Ombudsman to support instituting Ms. Maldonado Ordoñez's dismissal were not proven or investigated by competent authorities. Thus, the foregoing constituted a violation of the States duty to substantiate accusations contained in Article 8(1) of the Convention.⁵⁵

The Court argued that Article 9 requires authorities take measures to carefully verify alleged illegal conduct before implementing administrative penalties.⁵⁶ Here, the Human Rights Ombudsman's dismissal decision, Agreement No. 81-2000, was based on a letter which accused Ms. Maldonado Ordoñez of falsifying documents.⁵⁷ The Ombudsman failed to verify or substantiate the validity of the accusations and instead simply stated the motivation for the dismissal was to protect the "prestige and honorability" of the Office of the Human Rights Ombudsman.⁵⁸ Furthermore, the Ombudsman's decision argued that Ms. Maldonado Ordoñez alleged and unsubstantiated conduct violated various personnel regulations.⁵⁹ However, the Court held that the cited personnel regulations did not relate to upholding the "prestige and honorability" of the Office of the Human Rights Ombudsman.⁶⁰ Rather, these regulations noted unlawful acts, harm to property, and acts of

51. *Id.* "Resolution Points," ¶ 4.

52. *Id.* ¶ 85.

53. *Id.* ¶ 87.

54. *Id.*

55. *Id.* ¶ 88.

56. Maldonado Ordoñez v. Guatemala, Merits, Reparations, and Costs, ¶ 89.

57. *Id.* ¶ 90.

58. *Id.* ¶ 91.

59. *Id.* ¶ 92.

60. *Id.* ¶ 93.

sabotage against the institution as just causes to terminate an employment contract.⁶¹ The grounds invoked to remove Ms. Maldonado Ordoñez were not typified in, or supported by, any internal regulation.⁶² Thus, the cause for Ms. Maldonado Ordoñez dismissal did not constitute an administrative offense under the applicable law.⁶³ Therefore, the Ombudsman's Agreement No. 81-2000 failed to justify the sanction imposed thereby violating Article 9 of the Convention.⁶⁴

Articles 25 (Right to Judicial Protection) and 2 (Obligation to Give Domestic Legal Effect to Rights), in relation to Article 1(1) (Obligation of Non-Discrimination) of the Convention, to the detriment of Ms. Maldonado Ordoñez,⁶⁵ because:

The Court has long established that a state is obligated to ensure citizens have access to simple and prompt recourse when their fundamental rights are violated.⁶⁶ The Court explained that it is not enough for a state to simply prescribe formal remedies, but rather, these remedies must be effective remedies tailored for specific violations.⁶⁷ Furthermore, a state is not only required to design and implement effective remedies, but also to apply these remedies through competent judicial authorities.⁶⁸ Although Ms. Maldonado Ordoñez pursued various domestic remedies to appeal her dismissal decision, the applicable laws were complicated and contradictory.⁶⁹ As a result, Ms. Maldonado Ordoñez was left unprotected and unable to access simple and prompt recourse.⁷⁰ Thus, the Court held the State not only failed to adopt domestic legislation which thoroughly protected fundamental rights, but also violated Ms. Maldonado Ordoñez's right to judicial protection.⁷¹

C. Dissenting and Concurring Opinions

1. Concurring Opinion of Judge Eduardo Ferrer Mac-Gregor Poisot

61. *Id.* ¶ 92.

62. Maldonado Ordoñez v. Guatemala, Merits, Reparations, and Costs, ¶ 95.

63. *Id.*

64. *Id.*

65. *Id.* "Resolution Points," ¶ 5.

66. *Id.* ¶ 108.

67. *Id.* ¶ 109.

68. Maldonado Ordoñez v. Guatemala, Merits, Reparations, and Costs, ¶ 110.

69. *Id.* ¶ 117.

70. *Id.* ¶ 120.

71. *Id.*

In a separate opinion, Judge Poisot concurred with the findings of the Court and explained how this decision further expanded the minimum guarantees of due process to include non-criminal proceedings.⁷² Specifically, Judge Poisot discussed how the judicial guarantees set forth in Articles 8 (Right to a Fair Trial), and 25 (Right to Judicial Protection) of the Convention now extend to civil, labor, and fiscal matters.⁷³ Furthermore, Judge Poisot stressed the importance of the Commissions ability to regulate public authorities, whether administrative, legislative, or judicial in nature, whose disciplinary decisions may affect citizen's human rights.⁷⁴ In sum, Judge Poisot argued this expansion should be acknowledged not just through precedent, but within the Convention Articles themselves.⁷⁵

2. Concurring Opinion of Judge Humberto Antonio Sierra Porto

In a separate opinion, Judge Porto addressed the applicability of the due process guarantees to non-criminal proceedings.⁷⁶ Judge Porto acknowledged that the guarantees in Article 8(2) (Right to be Presumed Innocent) had been properly applied in the present non-criminal case, but warned that they should only be guaranteed to apply in criminal proceedings.⁷⁷ Furthermore, he stated that the application of Article 8(2) in non-criminal contexts must be subject to a fact-intensive inquiry to ensure it is not arbitrarily applied.⁷⁸

IV. REPARATIONS

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

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

1. Judgment as a Form of Reparation

72. *Maldonado Ordoñez v. Guatemala*, Preliminary Exceptions Merits, Reparations, and Costs, Separate Opinion of Judge Ferrer Mac-Gregor Poisot, Inter-Am. Ct. H.R. (ser. C) No. 311, ¶ 2 (May 3, 2016).

73. *Id.* ¶ 3.

74. *Id.* ¶ 28.

75. *Id.* ¶¶ 68-69.

76. *Maldonado Ordoñez v. Guatemala*, Preliminary Exceptions Merits, Reparations, and Costs, Separate Opinion of Judge Sierra Porto, Inter-Am. Ct. H.R. (ser. C) No. 311, ¶¶ 10-14 (May 3, 2016).

77. *Id.* ¶¶ 17-18.

78. *Id.*

The Court indicated that the Judgment itself constitutes a *per se* form of reparation.⁷⁹

2. Publication of the Judgment

The State must publish a summary of the judgment in the Official Gazette of the Republic of Guatemala and a national newspaper of wide circulation.⁸⁰ The Court further instructed the State to publish the Judgment to Human Rights Ombudsman's website for at least one year.⁸¹

3. Removal of Disciplinary Record

The State must remove the record of Ms. Maldonado Ordoñez's dismissal from her work record or any other background record.⁸²

4. Legislative Reform

The State must clearly specify, through legislative reform or other means, the proper procedures for appeal and review of any sanctions or disciplinary administrative measures of the Office of the Human Rights Ombudsman.⁸³

5. Compliance Report

The State must submit a report detailing the measures taken to comply with its orders.⁸⁴

B. *Compensation*

The Court awarded the following amounts:

1. Pecuniary Damages

79. Maldonado Ordoñez v. Guatemala, Merits, Reparations, and Costs, "Resolution Points," ¶ 6.

80. *Id.* ¶ 129.

81. *Id.*

82. Maldonado Ordoñez v. Guatemala, Merits, Reparations, and Costs, "Resolution Points," ¶ 8.

83. *Id.* ¶ 10.

84. *Id.* ¶ 11.

The Court awarded \$25,000 to Ms. Maldonado Ordoñez as compensation for her lost income as a result of her administrative dismissal without cause.⁸⁵

2. Non-Pecuniary Damages

The Court awarded \$55,000 to Ms. Maldonado Ordoñez as compensation for her pain and suffering.⁸⁶

3. Costs and Expenses

The Court awarded \$10,000 to be split between Dr. Rodríguez Ovalle, Ms. Odete Barrondo and Dr. Sánchez Garrido, the representatives of Ms. Maldonado Ordoñez, for the costs and expenses related to the litigation of the present case.⁸⁷

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

\$ 90,000

C. *Deadlines*

The State must publish a summary of the judgment in the Official Gazette of the Republic of Guatemala and a national newspaper of wide circulation within six months of the notification of the judgment.⁸⁸ The State must remove the dismissal from Ms. Maldonado Ordoñez's records within six months of the notification of the judgment.⁸⁹ The State must clearly specify, through legislative reform or other means, the proper procedures for appeal and review of any sanctions or disciplinary administrative measures of the Office of the Human Rights Ombudsman within one year of notification of the Judgment.⁹⁰ The State must submit a report detailing the measures taken to comply with its orders within one year of notification of the Judgment.⁹¹

85. Maldonado Ordoñez v. Guatemala, Merits, Reparations, and Costs, ¶ 144.

86. *Id.* ¶ 150.

87. *Id.* ¶ 157.

88. *Id.* ¶ 129.

89. Maldonado Ordoñez v. Guatemala, Merits, Reparations, and Costs, "Resolution Points," ¶ 8.

90. *Id.* ¶ 10.

91. *Id.* ¶ 11.

V. INTERPRETATION AND REVISION OF JUDGMENT

[None]

VI. COMPLIANCE AND FOLLOW-UP

July 22, 2016: The State fully complied with its obligation to publish a summary of the judgment in the Official Gazette of the Republic of Guatemala and a national newspaper of wide circulation, as well as its obligation to publish the Judgment in its entirety to the website of the Office of the Human Rights Ombudsman.⁹²

February 2017: The State fully complied with its obligation to pay compensation for non-pecuniary damages to Ms. Maldonado Ordoñez and reimbursement of costs and expenses to Mr. Rodríguez Ovalle, Ms. Odete Barrondo and Mr. Sánchez Garrido.⁹³

July 2017: The State fully complied with its obligation to remove the record of Ms. Maldonado Ordoñez's dismissal from her work record or any other record.⁹⁴

July 2017: The Court found that the State fulfilled its obligation to clearly specify, the proper procedures for appeal and review of any sanctions or disciplinary administrative measures within the Office of the Human Rights Ombudsman.⁹⁵

VII. LIST OF DOCUMENTS

A. *Inter-American Court*

1. Preliminary Objections

[None]

2. Decisions on Merits, Reparations and Costs

92. Maldonado Ordoñez v. Guatemala, Judgment Compliance Supervision, Order of the Court, Inter-Am. Ct. H.R., ¶ 6 (Aug. 30, 2017).

93. *Id.* ¶ 9.

94. *Id.* ¶ 17.

95. *Id.* ¶¶ 19, 29.

[Maldonado Ordoñez v. Guatemala, Preliminary Exceptions, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. \(ser. C\) No. 311 \(May 3, 2016\).](#)

[Maldonado Ordoñez v. Guatemala, Preliminary Exceptions Merits, Reparations, and Costs, Separate Opinion of Judge Ferrer Mac-Gregor Poisot, Inter-Am. Ct. H.R. \(ser. C\) No. 311 \(May 3, 2016\).](#)

[Maldonado Ordoñez v. Guatemala, Preliminary Exceptions Merits, Reparations, and Costs, Separate Opinion of Judge Sierra Porto, Inter-Am. Ct. H.R. \(ser. C\) No. 311 \(May 3, 2016\).](#)

3. Provisional Measures

[Maldonado Ordoñez v. Guatemala, Provisional Measures, Order of the President, Inter-Am. Ct. H.R. \(ser. E\) \(November 6, 2015\).](#)

4. Compliance Monitoring

[Maldonado Ordoñez v. Guatemala, Judgment Compliance Supervision, Order of the Court, Inter-Am. Ct. H.R. No.311 \(Aug. 30, 2017\).](#)

5. Review and Interpretation of Judgment

[None]

B. *Inter-American Commission*

1. Petition to the Commission

[None]

2. Report on Admissibility

[Maldonado Ordoñez v. Guatemala, Admissibility Report, Report No. 36/04, Inter-Am. Comm'n H.R., Case No. 12.453 \(March 11, 2004\).](#)

3. Provisional Measures

[None]

4. Report on Merits

[Maldonado Ordoñez v. Guatemala, Report on Merits, Report No. 42/14, Inter-Am. Comm'n H.R., Case No. 12,453 \(July 17, 2014\).](#)

5. Application to the Court

[None]

VIII. BIBLIOGRAPHY

[None]