

Galindo Cárdenas et al. v. Peru

I. COMPLIANCE AND FOLLOW-UP ADDENDUM¹

September 3, 2020: The Court reviewed Mr. Luis Antonio Galindo Cárdenas’s request for provisional measures through an assessment of the State’s compliance with the Judgment.²

The Court recognized that the State provided information relating to its obligation to investigate during the compliance monitoring stage and that Mr. Galindo Cárdenas presented observations on this information.³ The Court decided that, in order to evaluate the information provided in relation to the State’s obligation to investigate, the State was required to present a new report in response to Mr. Galindo Cárdenas’s objections by December 9, 2020.⁴

The Court further reviewed the State’s compliance with its obligation to pay both pecuniary and non-pecuniary damages, as well as reimbursement for costs and expenses.⁵ The Court found that three years and eight months had passed from the deadline for compliance and no payments had been made.⁶ The court rejected the State’s reported reasons for failing to comply with its payment obligation and ordered the State to take the necessary measures for compliance.⁷

Finally, the Court kept open the procedure for monitoring the State’s compliance with pending obligations in addition to the aforementioned compliance with its duty to investigate and make payments for damages and costs.⁸

October 8, 2020: The Court provided an update on the State’s obligation to comply with the measures set forth in the Judgment on the merits,

1. Laura Leonardi Rodi, Author; Kaylie O’Connor, Editor; Katie Grossbard, Senior IACHR Editor; Gabrielle Szlachta-McGinn, Chief IACHR Editor; Cesare Romano, Faculty Advisor.

2. Galindo Cárdenas et al. v. Peru, Monitoring Compliance with Judgment, Order of the Court, Inter-Am. Ct. H.R. “seen” ¶ 6; “considering” ¶¶ 5; 9. (September 3, 2020).

3. *Id.* “considering” ¶ 12.

4. *Id.* “considering” ¶ 13; “resolves” ¶ 4.

5. *Id.* “considering” ¶ 14.

6. *Id.* “considering” ¶ 15.

7. *Id.* ¶ 16-18.

8. Galindo Cárdenas et al. v. Peru, Monitoring Compliance with Judgment, Order of the Court, “resolves” ¶ 3(a)-(e).

reparations, and costs.⁹ The Court found that the State was in full compliance with the following measures: (1) to adopt measures necessary to deprive the acts of repentance and tax rulings of all legal effect; and (2) to publish and disseminate the Judgment and official summary.¹⁰

The Court kept open the compliance monitoring process with regards to the following measures: (1) to continue and conclude the investigation of Mr. Galindo Cárdenas' deprivation of liberty and, if appropriate, prosecute and punish those responsible; (2) to provide free psychological treatment to Mr. Galindo Cárdenas and his family; and (3) to pay pecuniary and non-pecuniary damages and reimburse costs and expenses.¹¹

9. *Galindo Cárdenas et al. v. Peru*, Monitoring Compliance with Judgment, Order of the Court, Inter-Am. Ct. H.R., ¶ 1 (October 8, 2020).

10. *Id.* “resolves” ¶ 1.

11. *Id.* ¶ 2.