

Brewer Carías v. Venezuela

ABSTRACT¹

This case stems from the attempted coup of 2002 against President Hugo Chávez, and the prosecution by the State of a prominent constitutional law scholar for his alleged participation in the conspiracy. This is one of the rare cases in which the Court found it did not have jurisdiction. The victim had failed to exhaust domestic remedies.

I. FACTS

A. Chronology of Events

December 2001 – April 10, 2002: Demonstrators begin to hold anti-government protests against the policies of President Hugo Chávez.²

April 11, 2002: A group of military commanders announce that they no longer recognize the authority of President Chávez.³

April 12, 2002: In the early morning, Mr. Pedro Carmona Estanga, a leader in the anti-government protest movement, contacts Mr. Allan Randolph Brewer Carías, a constitutional law expert.⁴ Mr. Carmona Estanga arranges for a car to take Mr. Brewer Carías from his home to the headquarters of the Ministry of Defense, so he can give Mr. Carmona Estanga his opinion on a document purporting to reorganize the governmental structure and establish a transitional democracy.⁵ This document would later be known as the Carmona Decree.⁶ When Mr. Brewer Carías arrives, two lawyers present him with the document.⁷ After re-

1. Zach Tripodes, Author; Alexandra Gonzalez, Editor; Kathryn Benson, Chief IACHR Editor; Cesare Romano, Faculty Advisor.

2. Brewer Carías v. Venezuela, Preliminary Objections, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 278, ¶ 36 (May 26, 2014).

3. *Id.* ¶ 37.

4. *Id.* ¶¶ 1, 38.

5. *Id.* ¶ 38.

6. *Id.*

7. *Id.*

viewing the document, Mr. Brewer Carías asks to be returned to his home because he is unable to meet with Mr. Carmona Estanga to give him his opinion.⁸

That same day, Mr. Carmona Estanga publically reads the Carmona Decree, which dissolves the existing government of President Chávez and establishes a new transitional government, in which he would serve as President.⁹

April 13, 2002: The Public Prosecution Service opens an investigation into the events of the previous days.¹⁰

April 14, 2002: President Chávez is reinstated as President.¹¹

April 26, 2002: The National Assembly appoints a Special Parliamentary Committee to investigate the events in April 2002.¹²

May 15, 2002: Mr. Brewer Carías appears before the Prosecutor investigating the events of April 2002, pursuant to a summons issued five days earlier.¹³

May 22, 2002: Colonel Ángel Alberto Bellowín of the State Army files a complaint before the Prosecutor General in which he accuses several people, including Mr. Brewer Carías, of drafting the Carmona Decree.¹⁴ Mr. Brewer Carías admits he had been at headquarters of the Ministry of Defense on April 12, 2002, but denies having helped draft the Decree.¹⁵

May 28, 2002: The General Assembly of the Organization of American States adopts a resolution characterizing the events in April 2002 as an attempted coup d'état.¹⁶

June 3, 2002: Mr. Brewer Carías appears before the Prosecutor once

8. *Id.*

9. *Id.* ¶ 39.

10. *Id.* ¶ 44.

11. *Id.* ¶ 40.

12. *Id.* ¶ 43.

13. *Id.* ¶ 46.

14. *Id.* ¶ 47.

15. *Id.* ¶ 42.

16. *Id.* ¶ 41.

again to answer questions pursuant to another summons.¹⁷

July 9, 2002: A witness of the events of April 2002, Mr. Jorge Olavarría, submits a brief to the Prosecutor stating that he can confirm that Mr. Brewer Carías did not draft the Carmona Decree.¹⁸

July 2002: The Special Parliamentary Committee delivers its report into the events of April 2002, in which it urges State authorities to conduct a criminal investigation of a number of persons, including Mr. Brewer Carías, because “his participation in the planning and execution of the coup d’état was proved.”¹⁹

October 5, 2003: Four members of the National Assembly file a complaint against several persons, including Mr. Brewer Carías, alleging that they drafted the Carmona Decree.²⁰

January 13, 2005: The Prosecutor issues a summons to Mr. Brewer Carías to appear on January 20, 2005 to inform him that he will be under investigation in connection with the events of April 2002.²¹

January 27, 2005: The Prosecutor initiates an investigation of Mr. Brewer Carías in connection with his alleged involvement in the drafting of the Carmona Decree.²² The Prosecutor investigates whether Mr. Brewer Carías has violated article 144(2) of the Criminal Code, which defines the crime of conspiring to change the Constitution by violent means.²³ The Prosecutor cites six sources of evidence to support opening the investigation: (1) the Carmona Decree; (2) the complaint filed by Col. Bellorín on May 22, 2005; (3) news media accounts that refer to Mr. Brewer Carías as a drafter of the Carmona Decree; (4) the brief submitted by Mr. Olavarría on July 9, 2002; (5) Mr. Carmona’s published memoir, “My Testimony before History” (*Mi Testimonio ante la Historia*); and (6) the interview of Mr. Brewer Carías conducted on June 3, 2002.²⁴

17. *Id.* ¶ 48.

18. *Id.*

19. *Id.* ¶ 43.

20. *Id.* ¶ 49.

21. *Id.* ¶ 51.

22. *Id.* ¶ 52.

23. *Id.*

24. *Id.*

February 14, 2005: Mr. Brewer Carías appoints Mr. José Rafael Odreman Ledezama and Mr. León Henrique Cottin as Defense Counsel.²⁵

May 4, 2005: In a brief before Supervisory Judge Manuel Bognanno of the Twenty-fifth Court of the Judicial Circuit of the Metropolitan Area of Caracas, Defense Counsel alleges several irregularities by the Prosecution, including its refusal to grant access to various documents.²⁶

May 11, 2005: Judge Bognanno orders the Prosecutor to allow Defense Counsel “immediate access” to the case file, either by providing copies or allowing access to the physical files.²⁷ However, Judge Bognanno also finds that it is too early in the proceedings to make a ruling on the Defense Counsel’s other allegations.²⁸

May 30, 2005: The Prosecutor appeals Judge Bognanno’s ruling to the Court of Appeal, alleging that he was not given notice of the Defense Counsel brief and was therefore unable to present arguments on it.²⁹ The Prosecutor also disputes the Defense Counsel’s allegations, stating that it has provided full access to the case file.³⁰

June 10, 2005: Judge Bognanno requests that the Prosecutor report the status of the case, emphasizing his wish to expedite the investigation so that the case may proceed.³¹

June 27, 2005: The Prosecutor responds to Judge Bognanno’s request by asking for his legal basis for the request.³² Upon receiving the Prosecutor’s reply, Judge Bognanno forwards his initial request to the Superior Prosecutor.³³

June 29, 2005: Judge Bognanno’s temporary judicial appointment is

25. *Id.* ¶ 53.

26. *Id.* ¶ 54.

27. *Id.*

28. *Id.*

29. *Id.* ¶ 55.

30. *Id.*

31. *Id.* ¶ 56.

32. *Id.*

33. *Id.*

annulled and he is replaced by Judge José Alonso Dugarte Ramos.³⁴

July 6, 2005: The Court of Appeal overturns Judge Bognanno's May 11, 2005 order because he had not considered the Prosecutor's arguments.³⁵

August 10, 2005: Defense Counsel files a brief before the new Supervisory Judge, again requesting access to the case file.³⁶

September 29, 2005: Mr. Brewer Carías leaves Venezuela.³⁷

October 20, 2005: Judge Dugarte Ramos issues an order in which he denies Defense Counsel's request to access certain documents and denies the request that Mr. Carmona Estanga provide testimony because, as a subject of the investigation, he finds that Mr. Carmona Estanga's testimony would have no probative value.³⁸

October 21, 2005: The Prosecutor issues an indictment against Mr. Brewer Carías and two other persons for participating in a conspiracy to change the Constitution by violent means.³⁹ In the indictment, the Prosecutor requests that Judge Dugarte Ramos issue an order for preventive detention of Mr. Brewer Carías because he is a potential flight risk, because he would face imprisonment if found guilty, and because he has the financial means to flee.⁴⁰

October 24, 2005: Judge Dugarte Ramos schedules a preliminary hearing for November 17, 2005.⁴¹ Defense Counsel requests a non-certified copy of the indictment.⁴²

October 28, 2005: Defense Counsel appeals the October 20, 2005 ruling by Judge Dugarte Ramos.⁴³

34. *Id.*

35. *Id.* ¶ 54.

36. *Id.* ¶ 57.

37. *Id.* ¶ 58.

38. *Id.* ¶ 60.

39. *Id.* ¶ 61.

40. *Id.* ¶ 65.

41. *Id.* ¶ 66.

42. *Id.*

43. *Id.* ¶ 60.

November 8, 2005: In a brief to Judge Dugarte Ramos, Defense Counsel responds to the indictment by rejecting “all aspects [of it], both factual and legal.”⁴⁴ Defense Counsel also requests that the case be dismissed.⁴⁵

November 16, 2005: Defense Counsel requests the removal of Judge Dugarte Ramos from the case by arguing that his ruling on October 20, 2005 to exclude Mr. Carmona Estanga’s testimony had the effect of making a prejudicial finding on Mr. Brewer Carías’s criminal responsibility and was therefore a cause for dismissal.⁴⁶ As a consequence of the request, the preliminary hearing scheduled for the next day does not take place.⁴⁷

January 30, 2006: The Court of Appeal declares Defense Counsel’s removal request against Judge Dugarte Ramos inadmissible because it believes that a ruling on the admissibility of pre-trial evidence does not prejudice a person’s determination of guilt or innocence.⁴⁸

February 7, 2006: Judge Dugarte Ramos schedules the preliminary hearing for March 7, 2006.⁴⁹

March 7, 2006: Mr. Brewer Carías does not appear for the preliminary hearing, so the presiding Supervisory Judge, who is filling in for Judge Dugarte Ramos while he is on leave, reschedules the preliminary hearing for April 4, 2006.⁵⁰

April 10, 2006: The Supervisory Judge further reschedules the preliminary hearing for May 10, 2006, because another defendant in the case requests this Judge’s removal from the case.⁵¹

April 26, 2006: The Court of Appeal declares the request for removal

44. *Id.* ¶ 68.

45. *Id.*

46. *Id.* ¶ 70.

47. *Id.*

48. *Id.*

49. *Id.* ¶ 71.

50. *Id.*

51. *Id.*

inadmissible.⁵²

May 9, 2006: The Supervisory Judge requests information regarding Mr. Brewer Carías's travels because his repeated absences have delayed the preliminary hearing.⁵³ The Supervisory Judge again postpones the preliminary hearing to June 20, 2006.⁵⁴

May 10, 2006: Defense Counsel informs the Supervisory Judge that Mr. Brewer Carías does not intend to return to the State because he views the case as "political persecution."⁵⁵

June 2, 2006: The Prosecutor requests once more that the Supervisory Judge order the preventive detention of Mr. Brewer Carías, as he is outside of the State, and does not intend to return to participate in the ongoing proceedings.⁵⁶

June 15, 2006: The Supervisory Judge issues a warrant for Mr. Brewer Carías's arrest.⁵⁷

B. Other Relevant Facts

[None]

II. PROCEDURAL HISTORY

A. Before the Commission

January 24, 2007: Pedro Nikken, Hélio Bicudo, Claudio Grossman, Juan Méndez, Douglas Cassel, and Héctor Faúndez present a petition on behalf of Mr. Brewer Carías to the Commission.⁵⁸

September 9, 2009: The Commission issues Report 97/09, finding the

52. *Id.*

53. *Id.* ¶ 72.

54. *Id.*

55. *Id.* ¶ 73.

56. *Id.* ¶ 74.

57. *Id.*

58. *Brewer Carías v. Venezuela*, Admissibility Report, Report No. 97/09, Inter-Am. Comm'n H.R., Case No. 12.724, ¶ 1 (Sept. 8, 2009).

case admissible.⁵⁹ The Commission finds that the failure of the Supervisory Judge to make a ruling on the November 8, 2005 motion to dismiss constitutes a delay in the proceedings attributable to the State.⁶⁰ This failure also constitutes an unwarranted delay exception to the admissibility requirement that domestic remedies be exhausted.⁶¹

November 3, 2011: The Commission issues Merits Report 171/11, concluding that the State bears international responsibility for violating Articles 8 (Right to a Fair Trial) and 25 (Right to Judicial Protection).⁶² The Commission also concludes that the State did not violate Article 13 (Freedom of Thought and Expression).⁶³

The Commission finds that “the appointment, removal, and provisional status of judges in Venezuela affected [Mr.] Brewer Carías’s right to an independent judge”⁶⁴ and that the failure of the Prosecution to grant Brewer Carías’s counsel access to the case file constituted a violation of the right to adequate means for the preparation of a defense.⁶⁵ However, the Commission also finds that no unreasonable delays took place during the proceedings because the motion for dismissal of the case, although pending before the Supervisory Judge since November 8, 2005, could only be decided during the preliminary hearing in the presence of the accused.⁶⁶ Finally, the Commission finds that “no elements of fact or law have been submitted to indicate . . . that the investigation and criminal trial of [Mr.] Brewer Carías sought to silence his right of expression.”⁶⁷

The Commission recommends that the State make reparations for the violations found and that, should the State continue the prosecution of Mr. Brewer Carías, the proceedings should comport with the due process guarantees of Articles 8 (Right to a Fair Trial) and 25 (Right to Judicial Protection).⁶⁸ The Commission further recommends that the State ensure the independence of the judiciary by (1) strengthening the procedures to remove and appoint judges and prosecutors, (2) affirming

59. *Id.* ¶ 105.

60. *Id.* ¶ 87.

61. *Id.* ¶ 89.

62. *Brewer Carías v. Venezuela*, Report on Merits, Report No. 171/11, Inter-Am. Comm’n H.R., Case No. 12.724, ¶ 166 (Nov. 3, 2011).

63. *Id.*

64. *Id.* ¶ 147.

65. *Id.* ¶¶ 153–54.

66. *Id.* ¶ 161.

67. *Id.* ¶ 164.

68. *Id.* “Recommends” ¶¶ 3, 2.

the tenure of judicial positions, and (3) ending the temporary status of the majority of judges and prosecutors.⁶⁹

B. Before the Court

March 7, 2012: The Commission submits the case to the Court after the State failed to adopt its recommendations.⁷⁰

1. Violations Alleged by Commission⁷¹

Article 8 (Right to a Fair Trial)

Article 25 (Right to Judicial Protection)

all in relation to:

Article 1(1) (Obligation to Respect Rights) and

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

2. Violations Alleged by Representatives of the Victim⁷²

Same Violations Alleged by Commission, plus:

Article 7 (Right to Personal Liberty)

Article 11 (Right to Privacy)

Article 13 (Freedom of Thought and Expression)

Article 22 (Freedom of Movement and Residence) and

Article 24 (Right to Equal Protection) of the American Convention.

2012–September 19, 2013: The Court receives thirty-four amicus curiae briefs.⁷³

69. *Id.* “Recommends” ¶ 1.

70. Brewer Carías v. Venezuela, Petition to the Court, Inter-Am. Comm’n H.R., Case No. 12.724 (Mar. 7, 2012).

71. *Id.* at 2.

72. Brewer Carías v. Venezuela, Preliminary Objections, ¶ 4.

73. *Id.* ¶¶ 9–10. The briefs were from Rubén Hernández Valle, President of the Instituto Costarricense de Derecho Constitucional; the Asociación Dominicana de Derecho Administrativo; Leo Zwaak, Diana Contreras Garduño, Lubomira Kostova, Tomas Königs, and Annick Pijnenburg, on behalf of the Netherlands Institute of Human Rights of the University of Utrecht; Amira Esquivel Utreras; Luciano Parejo Alfonso; Libardo Rodríguez Rodríguez; Gladys Camacho Céspedes; Osvaldo Alfredo Gozañi and Pablo Luis Manili, President and Secretary Gen-

III. MERITS

*A. Composition of the Court*⁷⁴

Humberto Antonio Sierra Porto, President
Roberto F. Caldas, Vice President
Manuel E. Ventura Robles, Judge
Diego García-Sayán, Judge
Alberto Pérez Pérez, Judge
Eduardo Ferrer Mac-Gregor Poisot, Judge

Pablo Saavedra Alessandri, Secretary
Emilia Segares Rodríguez, Deputy Secretary

B. Decision on the Merits

May 26, 2014: The Court issues its Judgment on Preliminary Objections.⁷⁵

eral of the Asociación Argentina de Derecho Procesal Constitucional; thirty Venezuelan public law professors; Giuseppe F. Ferrari; José Alberto Álvarez, Fernando Saenger, Renaldy Gutiérrez, and Dante Figueroa, on behalf of the Inter-American Bar Association and of themselves; Agustín E. de Asís Roig; Ana Giacommette Ferrer, President of the Centro Colombiano de Derecho Procesal Constitucional; Jaime Rodríguez-Arana; Víctor Rafael Hernández Mendible; Eduardo Jorge Prats; Asdrúbal Aguiar Aranguren, as President of the Executive Committee of the Observatorio Iberoamericano de la Democracia and on behalf of himself; Marta Franch Saguer; Javier Barnes; Miriam Mabel Ivanega; Jose Luis Benavides; Luis Enrique Chase Plate; Diana Arteaga Macías; José Luis Meilán Gil; the New York City Bar Association Enrique Rojas Franco, President of the Asociación Iberoamericana de Derecho Público y Administrativo Profesor Jesús González Pérez; Pablo Ángel Gutiérrez Colantuono and Henry Rafael Henríquez Machado; Jorge Luis Suárez Mejías, Professor of the Universidad Católica Andrés Bello; José René Olivos Campos, President of the Asociación Mexicana de Derecho Administrativo; Pedro José Jorge Coviello, Professor of the Universidad Católica Argentina; Carlos Eduardo Herrera Maldonado; Humberto Prado Sifontes; Jorge Raúl Silvero Salgueiro, and Helena Kennedy and Sternford Moyo, Co-Presidents of the International Bar Association's Human Rights Institute. *Id.* ¶ 9.

74. Judge Eduardo Vio Grossi recused himself because in the 1980s he worked as a professor at the Public Law Institute of the Faculty of Legal and Political Sciences of the Universidad Central de Venezuela while Mr. Brewer Carías served as Director. *Brewer Carías v. Venezuela*, Provisional Measures, Order of the Court, Inter-Am. Ct. H.R. (ser. C) "Considering that" ¶ 3 (Nov. 29, 2012). Acting President Alberto Pérez Pérez accepted Judge Vio Grossi's recusal. *Brewer Carías v. Venezuela*, Provisional Measures, Order of the Acting President, Inter-Am. Ct. H.R. (ser. C) (Nov. 23, 2012). The Court en banc also accepted the recusal. *Brewer Carías v. Venezuela*, Provisional Measures, Order of the Court, (Nov. 29, 2012).

75. *See Brewer Carías v. Venezuela*, Preliminary Objections.

The State submitted three arguments as preliminary objections: (1) a challenge to the impartiality of five Judges and the Secretary of the Court, (2) an objection to the recusal of Judge Vio Grossi, and (3) the failure of the alleged victim to exhaust domestic remedies.⁷⁶

With regard to the first argument that alleged impartiality on the part of Judges Diego García-Sayán, Manuel E. Ventura Robles, Leonardo A. Franco, Margarete May Macaulay, and Rhadys Abreu Blondet, and Secretary Pablo Saavedra Alessandri, the Court found that the argument did not constitute a preliminary objection because the Acting President of the Court had already ruled on the matter, finding the allegations of impartiality “inadmissible and unfounded.”⁷⁷

Likewise, with regard to the second argument that Judge Vio Grossi’s recusal was inappropriate, the Court found that the State was precluded from raising the issue as a preliminary objection because the Acting President of the Court, as well as the Court en banc, previously considered the issue and found the State’s argument inadmissible and unsubstantiated.⁷⁸

With regard to the third issue, the Court adopted by four votes to two the State’s preliminary objection that the alleged victim failed to exhaust domestic remedies and therefore found the case inadmissible.⁷⁹ The Court noted that in order to raise the admissibility issue of failure to exhaust domestic remedies, the State must have raised the issue before the Commission by describing the unutilized domestic remedies and their effectiveness.⁸⁰ In this case, the State properly raised the issue before the Commission.⁸¹ The Court found that while the alleged victim did attempt to dismiss the case, he did not pursue other domestic remedies, including appeal, cassation, and appeal for review, as defined in the State’s Organic Code of Criminal Procedure.⁸² The Court further found that criminal proceedings were still in an early stage and any due process violations or other irregularities could still be addressed by domestic remedies following the conclusion of the trial.⁸³ Because the effectiveness of these remedies is speculative, the Court declined to rule

76. *Id.* ¶¶ 14–15.

77. *Id.* ¶ 15.

78. *Id.* ¶ 16.

79. *Id.* ¶ 144.

80. *Id.* ¶¶ 77, 84.

81. *Id.* ¶ 81.

82. *Id.* ¶ 97.

83. *Id.* ¶ 98.

on the matter.⁸⁴

The Court noted that in its Admissibility Report, the Commission focused primarily on exceptions to the requirement that domestic remedies be exhausted.⁸⁵ Specifically, the Commission found that there was an unwarranted delay under Article 46(2)(c) because the Supervisory Judge had not ruled on the motion to dismiss the case filed by Defense Counsel on November 8, 2005.⁸⁶ However, the Court concluded that the delay was not attributable to the State, but to Mr. Brewer Carías's failure to attend the preliminary hearing.⁸⁷ The Court determined that the Supervisory Judge could only make a ruling on the motion during the preliminary hearing, which could only take place if the accused were present.⁸⁸ The Court therefore concluded the Commission erred in attributing the delay to the State.⁸⁹

Accordingly, the Court, by majority, admitted the State's third preliminary objection and ruled that it would not analyze the merits.⁹⁰

C. Dissenting and Concurring Opinions

1. Joint Dissenting Opinion of Judges Manuel E. Ventura Robles and Eduardo Ferrer Mac-Gregor Poisot

In a separate opinion, Judges Ventura Robles and Mac-Gregor Poisot dissented from the majority's finding that domestic remedies were not exhausted and that no exception to the exhaustion of domestic remedies is applicable.⁹¹ With regard to the issue of exhaustion of domestic remedies, the Judges first noted that, contrary to the finding of the majority, they believed that the State did not properly raise the admissibility issue before the Commission because the State merely listed the available remedies without explaining whether they were appropriate and effective.⁹² They also believed that the failure of the Supervisory Judge to rule on the motion to dismiss the case, irrespective of the pro-

84. *Id.* ¶ 99.

85. *Id.*

86. *Id.* ¶¶ 115–16.

87. *Id.* ¶ 143.

88. *Id.*

89. *Id.*

90. *Id.* ¶ 144.

91. Brewer Carías v. Venezuela, Preliminary Objections, Joint Dissenting Opinion of Judges Manuel E. Ventura Robles and Eduardo Ferrer Mac-Gregor Poisot, Inter-Am. Ct. H.R. (ser. C) No. 278, ¶ 33 (May 26, 2014).

92. *Id.* ¶ 36.

cedural requirement that the accused be present, nonetheless constitutes an unwarranted delay under international human rights law because it has been undecided for over seven years.⁹³ Lastly, they disagreed with the majority's finding that analysis of the effectiveness of domestic remedies was precluded by the early stage of the criminal proceedings.⁹⁴ The Judges believed that this case may serve as precedent for finding petitions inadmissible merely because criminal proceedings are at an early stage, thus negatively affecting the protection of human rights in the Inter-American system.⁹⁵

As to the issue of exceptions to the requirement that domestic remedies be exhausted, the Judges found that the exceptions should have been considered along with the merits. For the exception under Article 46(2)(a), that domestic legislation of the State does not afford due process, they found that the exception is closely tied with the issue of the independence of the State Judiciary, due to the proliferation of temporary judicial appointments.⁹⁶ Likewise, the exception that access to domestic remedies had been denied under Article 46(2)(b) also involves issues related to the independence of judges.⁹⁷ Lastly, the Judges believe the unwarranted delay exception under Article 46(2)(c) is related to the issue of the Supervisory Judge having not ruled on the motion to dismiss.⁹⁸ As a final comment, the Judges also noted that the Court should have proceeded to the merits because the case involves the prosecution of an attorney for providing his professional services and that this constitutes a human rights violation because individuals have a right to practice their profession.⁹⁹

IV. REPARATIONS

[None]

V. INTERPRETATION AND REVISION OF JUDGMENT

[None]

93. *Id.* ¶ 41.

94. *Id.* ¶ 46.

95. *Id.* ¶ 64.

96. *Id.* ¶ 75.

97. *Id.* ¶ 91.

98. *Id.* ¶ 93.

99. *Id.* ¶¶ 121, 124.

VI. COMPLIANCE AND FOLLOW-UP

[None]

VII. LIST OF DOCUMENTS

A. Inter-American Court

1. Preliminary Objections

[Brewer Carías v. Venezuela, Preliminary Objections, Judgment, Inter-Am. Ct. H.R. \(ser. C\) No. 278 \(May 26, 2014\).](#)

[Brewer Carías v. Venezuela, Preliminary Objections, Joint Dissenting Opinion of Judges Manuel E. Ventura Robles and Eduardo Ferrer MacGregor Poisot, Inter-Am. Ct. H.R. \(ser. C\) No. 278 \(May 26, 2014\).](#)

2. Decisions on Merits, Reparations and Costs

[None]

3. Provisional Measures

[Brewer Carías v. Venezuela, Provisional Measures, Order of the Acting President, Inter-Am. Ct. H.R. \(ser. C\) \(Nov. 23, 2012\) \(Available only in Spanish\).](#)

[Brewer Carías v. Venezuela, Provisional Measures, Order of the Court, Inter-Am. Ct. H.R. \(ser. C\) \(Nov. 29, 2012\).](#)

[Brewer Carías v. Venezuela, Provisional Measures, Order of the President, Inter-Am. Ct. H.R. \(ser. C\) \(July 31, 2013\).](#)

[Brewer Carías v. Venezuela, Provisional Measures, Order of the Court, Inter-Am. Ct. H.R. \(ser. C\) \(Aug. 20, 2013\) \(Available only in Spanish\).](#)

4. Compliance Monitoring

[None]

5. Review and Interpretation of Judgment

[None]

B. Inter-American Commission

1. Petition to the Commission

Brewer Carías v. Venezuela, Petition No. 84-07, Inter-Am. Comm'n H.R. (Jan. 24, 2007).

2. Report on Admissibility

[Brewer Carías v. Venezuela, Admissibility Report, Report No. 97/09, Inter-Am. Comm'n H.R., Case No. 12.724 \(Sept. 8, 2009\).](#)

3. Provisional Measures

[None]

4. Report on Merits

[Brewer Carías v. Venezuela, Report on Merits, Report No. 171/11, Inter-Am. Comm'n H.R., Case No. 12.724 \(Nov. 3, 2011\).](#)

5. Application to the Court

[Brewer Carías v. Venezuela, Petition to the Court, Inter-Am. Comm'n H.R., Case No. 12.724 \(Mar. 7, 2012\).](#)

VIII. BIBLIOGRAPHY

[None]