

**ORDER OF THE
INTER-AMERICAN COURT OF HUMAN RIGHTS
OF NOVEMBER 23, 2012**

**PROVISIONAL MEASURES
WITH REGARD TO MEXICO**

MATTER OF ALVARADO REYES

HAVING SEEN:

1. The Orders issued by the Inter-American Court of Human Rights (hereinafter “the Inter-American Court” or “the Court”) on May 26 and November 26, 2010, and May 15, 2011, in which, at the request of the Inter-American Commission, the Court ordered provisional measures and monitored their execution in this matter. In the last Order, the Court decided, *inter alia*:

1. To ratify all aspects of the Order of the President of the Inter-American Court of Human Rights of April 1, 2011, and therefore to require the State to maintain any measures it was implementing and to adopt, immediately and definitively, any necessary and effective complementary measures to protect the rights to life and personal integrity of the following persons: J.O.A.R., R.G.A.R., S.A.R. and J.E.A.R., children of the beneficiary Jaime Alvarado Herrera; Sandra Luz Rueda Quezada, wife of the beneficiary Jaime Alvarado Herrera; J.G.A., daughter of the beneficiary Rosa Olivia Alvarado Herrera; D.J.A. and J.A., daughters of the beneficiary Manuel Melquíades Alvarado Herrera, and Mayra Daniela Salais Rodríguez, wife of the beneficiary Manuel Melquíades Alvarado Herrera.

2. To reiterate to the State that it must adopt immediately all necessary measures to ascertain promptly the whereabouts of Rocío Irene Alvarado Reyes, Nitza Paola Alvarado Espinoza, and José Ángel Alvarado Herrera, as well as to protect their life, personal integrity and liberty.

3. To reiterate to the State that it must adopt immediately all necessary measures to protect the life and personal integrity of Patricia Reyes Rueda; A.A.R. and A.A.R., children of the beneficiary Patricia Reyes Rueda; M.U.A., daughter of the beneficiary Rocío Irene Alvarado Reyes; Manuel Reyes; Obdulia Espinoza Beltrán; J.A.E., J.A.A.E., and A.A.E., children of the beneficiaries José Ángel Alvarado Herrera and Obdulia Espinoza Beltrán; José Ángel Alvarado Favela; Concepción Herrera Hernández; Jaime Alvarado Herrera; Manuel Melquíades Alvarado Herrera; Rosa Olivia Alvarado Herrera; K.P.A.A. and F.A.H., children of the beneficiary Rosa Olivia Alvarado Herrera; Feliz García; M.P.A.E., N.C.A.E., and D.A.E., daughters of the beneficiary Nitza Paola Alvarado Espinoza; María de Jesús Alvarado Espinoza; Rigoberto Ambriz Marrufo; María de Jesús Espinoza Peinado and Ascensión Alvarado Favela.

4. To reiterate to the State that it must adopt immediately all necessary measures to protect the life and personal integrity of Emilia González Tercero.

[...]

6. To require the State to take all pertinent measures to ensure that the measures of protection required in this Order are planned and implemented with the participation of the beneficiaries of these measures or their representatives, so that these measures are provided

diligently and effectively and, in general, to keep them informed of any progress in the implementation of the measures.

[...]

2. The Order of the President of the Court of April 1, 2011 (ratified by the Order of the Court of May 15, 2011), in which he summoned the parties to a public hearing on June 28, 2011, on compliance with the provisional measures (hereinafter "the hearing"), during the ninety-fourth regular session of the Inter-American Court held in San Jose, Costa Rica.

3. The briefs of June 7, August 5, October 7 and December 7, 2011, and February 9, April 10 and June 20, 2012, in which the Mexican State (hereinafter "the State" or "Mexico") presented reports on the implementation of the provisional measures.

4. The briefs of July 8, August 7 and 30, September 7 and November 20, 2011, and January 10, March 15, May 16, July 24 and November 7, 2012, in which the *Centro de Derechos Humanos de las Mujeres* (CEDHM), the *Comisión de Solidaridad y Defensa de los Derechos Humanos* (COSYDDHAC), and the Paso del Norte Human Rights Center (PASO DEL NORTE) as representatives of the beneficiaries of the provisional measures (hereinafter "the representatives") presented observations on the briefs of the State.

5. The briefs of June 1, August 8 and 30, 2011, and August 21, 2012, in which the Inter-American Commission of Human Rights (hereinafter "the Inter-American Commission" or "the Commission") referred to the implementation of the measures.

6. The notes of the Secretariat of October 17 and November 9, 2012, in which, on the instructions of the President, it reiterated to the State that it should submit the corresponding report in which it should refer to the facts reported by the representatives in their communication of November 7, 2012.

CONSIDERING THAT:

1. Mexico ratified the American Convention on Human Rights on March 24, 1981, and, pursuant to Article 62 of the Convention, accepted the compulsory jurisdiction of the Court on December 16, 1998.

2. Article 63(2) of the American Convention stipulates that "[i]n cases of extreme gravity and urgency, and when necessary to avoid irreparable damage to persons, the Court shall adopt such provisional measures as it deems pertinent in matters it has under consideration. With respect to a case not yet submitted to the Court, it may act at the request of the Commission." This provision is also regulated in Article 27 of the Court's Rules of Procedure and is of a compulsory nature for the States, because a basic principle of international law, supported by international case law, indicates that States must comply with their treaty-based obligations in good faith (*pacta sunt servanda*).¹

3. Under international human rights law, provisional measures are not only preventive in nature, in the sense that they preserve a juridical situation, but they are also essentially protective inasmuch as they seek to safeguard human rights and avoid irreparable damage

¹ Cf. *Matter of James et al.* Provisional measures with regard to Trinidad and Tobago. Order of the Inter-American Court of Human Rights of June 14, 1998, sixth considering paragraph, and *Matter of José Luís Galdámez Álvarez et al.* Provisional measures with regard to Honduras. Order of the Inter-American Court of Human Rights of October 24, 2012, second considering paragraph.

to persons.² Thus, Article 63(2) of the Convention requires that, for the Court to order provisional measures, three conditions must concur: (i) “extreme gravity”; (ii) “urgency,” and (iii) the need to “avoid irreparable damage to persons.” These three conditions must be present in any situation in which the Court’s intervention is sought, and they must persist in order for the Court to maintain the order for protection, and if one of them is no longer valid, the Court must assess the pertinence of continuing the protection ordered.³

4. Based on its competence, in the context of provisional measures, the Court must only consider those arguments related strictly and directly to the extreme gravity, urgency, and need to avoid irreparable damage to persons. Thus, in order to decide whether to maintain the provisional measures in force, the Court must analyze whether the situation that led to their adoption persists, or whether equally grave and urgent new circumstances require maintaining them. Any other matter may only be brought before the Court by means of the corresponding contentious cases.⁴

a) Positions at the public hearing

5. The Court notes that, at the public hearing held on June 28, 2011, the State indicated that this matter is especially complex for the following reasons: the targeted violence; the change in residence of the beneficiaries, which has made it difficult to implement the measures, and the representatives have held positions that make it difficult to reach the agreements required to achieve a satisfactory solution. The State added that: (a) it had convened six working meetings; (b) it had made available to the beneficiaries: mobile phones with US\$100 of airtime, and social programs through the Development Secretariat; (c) it had issued 33 birth certificates and passports exempting the payment of fees, and (d) it had taken 321 measures in the investigations (including statements, inspections, requests for collaboration, chain of custody, and appraisals) in order to comply with the measures ordered.

6. For their part, at the said hearing, the representatives called attention to the failure to adopt the necessary measures, because the meetings that had been held were overdue, since they were held nine months after the Order on provisional measures; insufficient, because at the time of the hearing only three meetings had been held and useless, because they have not served to make progress on specific measures. They underscored their concern because 18 months after the adoption of the first measures, there was not a single proposal for protection even though the risk had increased; they also indicated that the authorities faced constraints in conducting the investigations into the disappearances.

7. The Inter-American Commission agreed with the representatives and emphasized the lack of specific results in the investigation of the telephone call for help made by Nitza Paola on February 3, 2010, and of the telephone calls with death threats made to Jose Ángel Alvarado’s father. Additionally, it referred to the problems of coordination between the different authorities that were conducting the investigations. Lastly, regarding the

² *Case of the “La Nación” Newspaper*. Provisional measures with regard to Costa Rica. Order of the Inter-American Court of September 7, 2001, fourth considering paragraph, and *Matter of José Luis Galdámez Álvarez et al.*, *supra* note 1, third considering paragraph.

³ *Cf. Case of Carpio Nicolle*. Provisional measures with regard to Guatemala. Order of the Inter-American Court of Human Rights of July 6, 2009, fourteenth considering paragraph, and *Matter of José Luis Galdámez Álvarez et al.*, *supra* note 1, third considering paragraph.

⁴ *Cf. Matter of James et al.* Provisional Measures with regard to Trinidad and Tobago. Order of the Inter-American Court of Human Rights of August 29, 1998, sixth considering paragraph, and *Matter of José Luis Galdámez Álvarez et al.*, *supra* note 1, fourth considering paragraph.

situation of risk, it stressed that, at the time of the hearing, no measure of protection was in place.

b) Implementation of the provisional measures

8. Following the public hearing, in relation to the implementation of the provisional measures, the State has advised that:

- a) Regarding preliminary investigation PGJM/AMPME/CDJUAREZ/196-II-IV/2010 opened before the Military Attorney General's Office due to the disappearance of Nitza Paola, Rocío Irene and Jose Ángel, the investigation conducted by the military representatives "did not prove the probable responsibility of military personnel, and it was then decided that the organs of the military jurisdiction did not have competence to continue the said inquiry"; therefore, the investigation is now being conducted by the Attorney General's Office;
- b) The investigation opened on March 8, 2010, by the Special Prosecutor for crimes of violence against women and people-trafficking (FEVIMTRA), which declined competence in favor of the Chihuahua Delegation of the Attorney General's Office, is currently underway for the offense of deprivation of liberty, and is at the stage of integration. During this inquiry, measures have been taken in relation to three lines of investigation: (a) probable involvement of the Mexican Army in the facts denounced; (b) probable participation of organized crime, and (c) tracing the telephone call presumably made by Nitza Paola after her disappearance. Regarding the latter, in its report of June 20, 2012, the State indicated that information provided by the Civic Council for Security and the Search for Justice of the Federal District had allowed the line of investigation on the said telephone call to be concluded;
- c) On May 9, 2012, the opening of an investigation was ordered with the participation of the regional representation of the Federal Investigation Agency of Chihuahua, because the latter's participation made it easier to conduct probative measures owing to its proximity to the site of the events;
- d) The beneficiaries were provided with the following: mobile telephone equipment and emergency numbers, psychological, legal, and paramedical assistance, escorts on the road during travel by the beneficiaries, house patrols, emergency telephone numbers where personnel from the Federal Police are on call, as well as the possibility of requesting, and if necessary, coordinating the support of municipal and state police agents under the General Law on the National Public Safety System;
- e) In order to implement specific and achievable measures that avoid irreparable damage, more information is required on the domicile of the beneficiaries.

9. In this regard, the representatives of the beneficiaries indicated, *inter alia*, that:

- a) They asked that all the investigations conducted under the military jurisdiction be transferred to the ordinary jurisdiction, in compliance with the relevant international provisions, the Constitution of the United Mexican States, and the decision of the Supreme Court of Justice of the Nation of July 12, 2011, on the inappropriateness of the military jurisdiction;

- b) Regarding the investigation into the enforced disappearances, they underlined that they were “surprised by the unfortunate conclusion reached by the State when it found that ‘the probable responsibility of military personnel was not proved,’ because a series of indications have always existed allowing it to be inferred that soldiers committed the crime”;
- c) Regarding the investigation into the whereabouts of the victims, they were concerned that ‘this was conducted based on the crime of illegal deprivation of liberty and not forced disappearance. In addition, they considered that “it is not possible to discount that the beneficiary made the call [on February 3, 2010], merely because the telephone number was linked to probable acts of extortion,” which resulted in the closure of one of the lines of investigation (*supra* considering paragraph 8(b));
- d) The State has still not implemented any of the measures and the last working meeting was held on October 19, 2011. Furthermore, they considered such meetings unsatisfactory because “they do not take into account the needs of the family members who are beneficiaries, who are displaced, in hiding and extremely fearful of the police, because the latter have been involved in acts of harassment.” They considered that the “offer of house patrols, road escorts [...] and the other measures that entail the location and surveillance of the beneficiaries do not meet the needs for protection”;
- e) The State continues to hold the family and the representatives responsible for the failure to implement provisional measures and measures of protection, as well as for the “lack of progress in the investigation, because they have failed to play an active role and contribute to the inquiries; thus, it holds them responsible for the persistence of the disappearance of Rocío, Nitza Paola, and Jose Ángel”;
- f) The attacks on the Alvarado family (*infra* considering paragraph 15), of which the State is aware, have not yet been investigated and remain in complete impunity, and
- g) They have not received any response with regard to the proposals they presented on March 10, 2012, concerning specific measures in favor of the beneficiaries.

10. Additionally, with different briefs (*supra* having seen paragraph 4), the representatives attached Recommendation 43/2011 of the Mexican National Human Rights Commission (CNDH), “Concerning the case of the enforced disappearance of V1, V2, and V3 in the Benito Juárez *ejido*, municipality of Buenaventura, Chihuahua.” The Recommendation indicated that “it can be established that, in this case of the enforced disappearance of V1, V2, and V3, the concurring and constituent elements of this illegal act are present, namely: (a) the deprivation of their liberty; (b) the direct intervention of state agents or their acquiescence, and (c) the refusal to acknowledge the detention and to reveal their fate or whereabouts.” Consequently, it recommended, among other matters, to the Secretary for National Defense and the Secretary for Federal Public Security that they “locate immediately and produce V1, V2, and V3 alive [...] or, if applicable, produce their mortal remains, [...] assume the corresponding responsibility, and make reparation for the damage caused to them and their families.” In this regard, in its report of December 7, 2011, the State indicated that the Secretariat of Public Security did not accept the

recommendation, "because the allegations against the Federal Police are based on presumptions [...] that were not duly proved."

11. For its part, in its observations, the Inter-American Commission indicated that, to date, the investigations into the whereabouts of the three beneficiaries José Angel, Rocío Irene y Nitza Paola, all with the surname Alvarado Reyes, have produced no concrete results, and the transfer from the military justice system to the ordinary jurisdiction occurred because the Military Attorney General's Office determined that there was no evidence of the participation of soldiers and, therefore, it was no longer competent. In addition, regarding the measures of protection, the Commission expressed its concern owing to the "complete absence [of such measures]," because, "as reported, the situation of lack of protection of this group of beneficiaries has entailed a radical change in their lives and has obliged them to take [their own] measures."

12. The Court notes that the State has underscored the realization of several investigations to find the whereabouts of the disappeared persons. In this regard, the representatives of the beneficiaries have indicated their disagreement with the fact that military personnel have been exempted of responsibility and that the line of investigation related to the supposed telephone call by one of the disappeared persons has been closed. Thus, in their final observations, they denounced the omission of detailed information in the reports on the inquiries carried out by the State. Furthermore, the CNDH has recommended that the beneficiaries be found immediately and produced alive. Also, regarding the implementation of measures of protection in favor of the next of kin who are beneficiaries, the State has argued that it has made numerous measures available to them, but does not have sufficient information to ensure the implementation of these measures. In this regard the representatives have indicated that they do not consider that these measures meet the needs for protection.

13. Taking into account the information provided by the parties, the Court considers that the delay in the search for those who presumably disappeared entails a constant increase in the danger that many rights will be violated, including the rights to life and to personal integrity.

14. Regarding the implementation of the measures in favor of the next of kin who are beneficiaries, there is evidence of a discrepancy between the beneficiaries' need for protection and their disagreement with the State's intention to involve the Federal Police in the execution of the provisional measures. In this regard, the Court considers that, based on the seriousness of the situation, the State must take into account the special needs of the beneficiaries in order to provide appropriate measures that guarantee their personal integrity and life and, consequently, reject those alternatives that have repeatedly been ineffective.

15. Therefore, the Court finds it necessary that, to ensure the due implementation of the measures, the State: (a) continue taking steps to determine the whereabouts of the beneficiaries as part of its obligation to investigate, and in the understanding that this search is the most appropriate way to protect the rights to life and to personal integrity of the beneficiaries who have presumably disappeared; (b) propose specific alternatives, in agreement with the beneficiaries or their representatives, in order to correct the deficiencies in the implementation of the measures; (c) forward the Court a consolidated list of the agreements reached by the parties at the different meetings held with the representatives and the beneficiaries, and the timetable for the implementation of these agreements, and (d) inform this Court in a precise and detailed manner of the specific measures of protection provided to each beneficiary in keeping with their special needs for protection.

16. Regarding the domestic investigations, the Court reiterates that the State has a special obligation to ensure the rights of persons in a situation of risk and must expedite the investigations required to clarify the facts, followed by the consequences established by the pertinent laws.⁵ However, the analysis of the effectiveness of these investigations and procedures regarding the facts that gave rise to the provisional measures corresponds to the analysis of the merits of the case.⁶

c) Information on the situation of risk of the beneficiaries

17. In their briefs of July 8, August 7 and 29, September 7 and November 20, 2011, and November 7, 2012, the representatives denounced the persistence and increase in the risk to the detriment of the beneficiaries of the measures based on the following circumstances:

- a) The time that has elapsed without the provisional measures being implemented and the erosion of the State's interest in this case;
- b) The fresh acts of harassment against the representatives of the beneficiaries, because the State invited members of the military to participate in the meeting of June 3, 2011, in response to which the representatives requested "the withdrawal of the members of the military, because the matter that resulted in the provisional measures is a case of enforced disappearance in which it has been indicated that the Army is presumably responsible";
- c) On June 5, 2011, at around 8 p.m., Federal Police agents burst into the office of the Paso del Norte Human Rights Center in Ciudad Juárez and, "without a warrant and without any justification, the police searched the office, destroying padlocks on doors with hammers and breaking windows";
- d) On July 4, 2011, at around 2 p.m., beneficiary Jaime Alvarado Herrera arrived at a friend's house near the Terranova Division in Ciudad Juárez where he was arrested together with three other people and taken to the Aldama Police Station; they were released after his father, Jose Ángel Alvarado Favela, who is also a beneficiary of these measures, came to the station. Furthermore, on July 7, 2011, individuals armed with rifles for the exclusive use of the Army approached the property where José Ángel Alvarado used to live, which is currently rented out, and in a threatening tone told the tenant: "leave this house immediately";
- e) On July 11, 2011, Federal Police agents went to the home of Nitza Paola in Ciudad Juárez and asked the neighbors for the Alvarado family. The neighbors told them that the property had been unoccupied for some time. The agents then took photographs and left;
- f) On July 14, 2011, beneficiary Jaime Alvarado, Jose Ángel's brother, "got on his bicycle and noticed that some individuals, apparently police agents, in a truck [...] started to follow him and, at a certain moment, the vehicle hit him hard,

⁵ Cf. *Matter of Álvarez et al.* Provisional measures with regard to Colombia. Order of the Inter-American Court of Human Rights of February 8, 2008, thirtieth considering paragraph, and *Matter of José Luis Galdámez Álvarez et al.*, *supra* note 1, eighteenth considering paragraph.

⁶ Cf. *Matter of Pilar Noriega García et al.* Provisional Measures with regard to Mexico. Order of the Inter-American Court of Human Rights of February 6, 2008. Fourteenth considering paragraph, and *Matter of Gladys Lanza Ochoa*, *supra* note 5, twenty-seventh considering paragraph.

throwing him to the ground. Fearful, he pretended to be unconscious and his head began to bleed." In this regard, "Jaime had to receive emergency medical assistance and he had to pay the expenses, because social security is not covered for the beneficiaries. The individuals got out of the vehicle and observed him carefully, and when they saw that he was not moving, they left";

- g) On August 28, 2011, according to the testimony of a neighbor, Jaime Alvarado's house was searched by federal police. Apparently they did not steal anything, but the house was turned upside down and a threatening note was found.⁷ As a result, Jaime's wife, Sandra Luz Rueda (beneficiary since May 15, 2011), had a nervous breakdown that required medical attention and the family had to cover these expenses also;
- h) As a result of the facts described above, "the families were forced to flee to safeguard their life and integrity, abandoning the place where they lived, which meant that they lost their main source of satisfying their basic needs, some families had to start paying rent, and many of the children changed school";
- i) On November 7, 2012, at around 11 a.m., a truck identified with the logo of the State Police, occupied by two agents, went to the home of Patricia Reyes Rueda, (beneficiary since November 26, 2010, and mother of Rocío Irene Alvarado Reyes), accompanied by debt collector from a hardware store, in order to require payment of 5,800 pesos that Mrs. Reyes owed that business. The police agents got out of the vehicle armed with rifles and, with an intimidating attitude, demanded payment of the debt and asked her: "who depends on you for support?" to which she responded: "my children and my granddaughter." Then, one police officer told her, "don't you know that I can take your children away from you and arrest you and take you to Ciudad Juárez because you are committing the offense of breach of trust"; he then demanded the payment, which he said he would pick up at 3.30 p.m. In response to this situation, the representatives of the beneficiaries sent a brief to the Prosecutor General of the state of Chihuahua demanding "an immediate response and the cessation of acts of intimidation and extortion towards Mrs. Reyes," and
- j) Regarding the above incidents, the representatives indicated that the "State has not commented on the investigations into the grave threats, aggression and harassment to which the next of kin who are beneficiaries have been subjected."

18. For its part, in its report of October 7, 2011, the State indicated that the head of FEVIMTRA had concluded that the threats and harassment of August 28 and 29, 2011, were unrelated to the criminal investigation being conducted by the Special Prosecutor's Office; nevertheless, preliminary inquiry AP/PGR/CHIH/JUA/2758/2011 had been opened into the recent threats and aggression alleged by the beneficiaries. The Court notes that in its subsequent reports the State made no mention of the situation of risk alleged by the representatives.

19. Finally, the Commission expressed its concern owing to the "persistence of the situation of extreme gravity and urgency and the need to avoid irreparable damage to the Alvarado family." In addition, it noted that this "threat [of August 28, 2011,] occurred

⁷ The note found in the house contained the following message: "because we wanted to break you and you were not there; but we have you, asshole, and we're going to fuck you and your fucking family. Yours truly, you know who."

precisely after the recent ruling of the CNDH that Jose Angel, Nitza Paola, and Rocío Irene had been forcibly disappeared by Chihuahua state officials."

20. The Court notes that the representatives have indicated at least seven new acts of harassment that could indicate an increase in the situation of risk of the next of kin who are beneficiaries, as well as the increase in the risk of the disappeared persons owing to the passage of time (*supra* considering paragraph 17). Based on the information provided by the parties, the Court observes that the continuing acts of harassment presumably initiated by the State's law enforcement agents against the beneficiaries have reached such a level of intensity that it has forced them to move house, change their children's schools and, in general, remain in hiding owing to fear. In this regard, the Court notes that the State has not forwarded specific information on the measures to eliminate the beneficiaries' situation of risk.

21. Owing to the foregoing, and based on the information presented by the representatives, the Commission and the State, the Court notes that the situation of extreme gravity and urgency persists with regard to the life and personal integrity of the beneficiaries. Consequently, the Court finds it necessary to maintain these measures of protection in favor of the beneficiaries.

22. Therefore, in agreement with the beneficiaries or their representatives, the State must conduct a risk assessment of each beneficiary and provide each one with adequate measures of protection.

23. In addition, the Court requests the representatives to present their respective observations on the State's report, within the term established in the operative paragraphs of this Order, including an updated assessment of the situation of risk of the beneficiaries.⁸

d) The State's obligation to provide information

24. On August 7, 2012, the State asked for an additional 15 days to present its respective report; on the President's instructions, this term was granted. Subsequently, on August 22, 2012, the State requested an additional five-day extension, which was granted in a communication of the Secretariat of August 23, 2012, establishing a new time frame that expired on August 27, 2012. On November 9, 2012, the Secretariat reiterated to the State that it should forward the corresponding report, without the State having presented it at this date. Therefore, the Court finds it pertinent to recall that failure to comply with the State's obligation to provide information on all the provisional measures adopted in compliance with the Court's decisions is especially serious, given the legal nature of these measures that seek to avoid irreparable damage to persons in a situation of extreme gravity and urgency.⁹

25. The Court reiterates that the obligation to provide information is not complied with by the mere formal submission of a document to the Court, but rather constitutes a twofold obligation that, for effective compliance, requires the formal presentation of a document

⁸ Cf. *Matter of Gladys Lanza Ochoa*, *supra* note 5, twenty-fifth considering paragraph, and *Matter of José Luis Galdámez Álvarez et al.*, *supra* note 1, seventeenth considering paragraph.

⁹ Cf. *Case of Bámaca Velásquez*. Provisional measures with regard to Guatemala. Order of the Inter-American Court of Human Rights of March 11, 2005, fifteenth considering paragraph, and *Matter of Guerrero Larez*. Provisional measures with regard to Venezuela. Order of the Inter-American Court of Human Rights of May 15, 2011, twelfth considering paragraph.

within the time frame and with specific, true, current and detailed information on the issues with regard to which the State has this obligation.¹⁰

26. Thus, the Court stresses that the State must comply with the provisions established in its Orders, and periodically provide information on the requirements established in paragraphs 15 and 22.¹¹

27. Based on the foregoing, the Court requests the State to provide its reports observing the time frames for their presentation indicated in the fourth and fifth operative paragraph of this Order.

THEREFORE:

THE INTER-AMERICAN COURT OF HUMAN RIGHTS,

in exercise of the authority conferred upon it by Article 63(2) of the American Convention on Human Rights and Article 27 of the Rules of Procedure of the Court,

DECIDES:

1. That the State must adopt immediately the necessary measures to determine as soon as possible the whereabouts of Rocío Irene Alvarado Reyes, Nitza Paola Alvarado Espinoza, and José Ángel Alvarado Herrera, as well as to protect their life, personal integrity and liberty.

2. That the State must maintain the measures that it has been implementing, and also that it must adopt, immediately and definitively, the necessary and effective complementary measures to protect the rights to life and to personal integrity of the following persons: J.O.A.R., R.G.A.R., S.A.R., and J.E.A.R., children of the beneficiary Jaime Alvarado Herrera; Sandra Luz Rueda Quezada, wife of the beneficiary Jaime Alvarado Herrera; J.G.A., daughter of the beneficiary Rosa Olivia Alvarado Herrera; D.J.A and J.A., daughters of the beneficiary Manuel Melquíades Alvarado Herrera, and Mayra Daniela Salais Rodríguez, wife of the beneficiary Manuel Melquíades Alvarado Herrera. In addition, of Patricia Reyes Rueda; A.A.R. and A.A.R., children of the beneficiary Patricia Reyes Rueda; M.U.A., daughter of the beneficiary Rocío Irene Alvarado Reyes; Manuel Reyes, Obdulia Espinoza Beltrán; J.A.E., J.A.A.E., and A.A.E., children of the beneficiaries Jose Ángel Alvarado Herrera and Obdulia Espinoza Beltrán; José Ángel Alvarado Favela; Concepción Herrera Hernández; Jaime Alvarado Herrera; Manuel Melquíades Alvarado Herrera, Rosa Olivia Alvarado Herrera; K.P.A.A. and F.A.H., children of the beneficiary Rosa Olivia Alvarado Herrera; Feliz García; M.P.A.E., N.C.A.E., and D.A.E., daughters of the beneficiary Nitza Paola Alvarado Espinoza; María de Jesús Alvarado Espinoza; Rigoberto Ambriz Marrufo; María de Jesús Espinoza Peinado, Ascensión Alvarado Favela and Emilia González Tercero.

¹⁰ Cf. *Matter of Liliana Ortega et al. v. Venezuela*. Provisional measures. Order of the Inter-American Court of Human Rights of December 2, 2003, twelfth considering paragraph and *Matter of Eloisa Barrios et al.* Provisional measures with regard to Venezuela. Order of the Inter-American Court of Human Rights of July 5, 2011, eighteenth considering paragraph.

¹¹ Cf. *Matter of Liliana Ortega et al.*, *supra* note 10, thirteenth considering paragraph, and *Matter of Eloisa Barrios et al.*, *supra* note 10, eighteenth considering paragraph.

3. That the State must take all pertinent measures to ensure that the measures of protection required in this Order are planned and implemented with the participation of the beneficiaries of the measures or their representatives, so that the said measures are provided diligently and effectively and that, in general, it keep them informed of any progress in the implementation of the measures, in accordance with considering paragraphs 12 to 16, by January 21, 2013, at the latest.

4. That the State must present a complete and detailed report on the measures taken to comply with the provisional measures required, based on considering paragraphs 15 and 22 of this Order.

5. That the State must continue providing the Inter-American Court of Human Rights with information on the provisional measures adopted every three months as of the submission of its last report.

6. That the representatives of the beneficiaries must present their observations on the reports of the State within four weeks of notification of the State's reports indicated in the above operative paragraph, in accordance with considering paragraph 23.

7. In addition, the Inter-American Commission of Human Rights must present its observations on the above-mentioned briefs of the State and of the representatives within two weeks of receiving the respective brief with the observations of the representatives. Specifically, in its next observations, the Commission must advise the Court of the procedural status or situation of the merits stage of this matter before it.

8. That the Secretariat notify this Order to the Mexican State, the Inter-American Commission of Human Rights, and the representatives of the beneficiaries.

Diego García-Sayán
President

Manuel E. Ventura Robles

Leonardo A. Franco

Margarette May Macaulay

Rhadys Abreu Blondet

Alberto Pérez Pérez

Eduardo Vio Grossi

Pablo Saavedra Alessandri
Secretary

So ordered,

Diego García-Sayán
President

Pablo Saavedra Alessandri
Secretary