

A RADIOGRAPHIC ANALYSIS OF COMPLIANCE WITH THE DECISIONS OF THE INTER-AMERICAN COURT OF HUMAN RIGHTS

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Abstract

This study examines the compliance level of all Inter-American Court of Human Rights judgments until December 31, 2018. The paper contrasts the data on implementation with the majority narrative regarding the degree of influence that the Inter-American Court has in protecting human rights. It also includes an Annex listing all court cases and judgments until December 2018 (Judgements on Merits, Complementary Judgments, Provisional Measures, Monitoring Compliance with Judgment and Reimbursement), and their corresponding implementation status (full compliance, partial compliance, unfulfilled, pending).

I. INTRODUCTION

The objective of this article is to investigate the level of compliance with the final rulings made by the Inter-American Court of Human Rights (Court) until December 31, 2018, and to contrast this information with the influence that, according to the majority doctrine, the Court theoretically has in the protection of human rights within the countries over which it has jurisdiction.¹

In order to achieve this objective, all information related to the level of compliance of these judgments was extracted from the official website of the Court, as the site contains the various judgements passed since its inception, as well as the status of progress or level of execution of its rulings.² It should be noted that the work of the Inter-American Commission on Human Rights (IA Commission) was not considered.³

The motive of our interest lies in the growing importance that International Human Rights Law is acquiring within the region, both due to the work of the Court itself and, in our understanding, especially due to the abundant doctrine that has emerged with the same objective.⁴ An example is the growing debate that has arisen regarding the concept of conventionality control or the application of the *pro homine* principle.⁵ Hence, we consider it very useful to theoretically contrast the way in which the majority doctrine presents facts, with the actual level of compliance with the judgments issued by the Court, in light of the importance of its work in that process.⁶

For this purpose, the first section of the present article will be devoted to stating, without going further into them or making arguments, some of the main assertions held by the majority doctrine regarding the degree of influence that the Inter-American System has, in theory, on the protection of human rights within the countries that belong to it, mainly due to the work

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1. *See generally* Rep. Inter-Am. Ct. H.R. (2018).

2. INTER-AM. CT. H.R., <http://www.corteidh.or.cr> (last visited Jan. 25, 2020).

3. *See generally* Annex I.

4. Rep. Inter-Am. Ct. H.R. (2018), *supra* note 1, at 5.

5. *See Id.* at 25, 106; *see also* Dilton Ribeiro & Valerio de Oliveira Mazzuoli, *The Pro Homine Principle as a Fundamental Aspect of International Human Rights Law*, 47 MERIDIANO J. GLOB. STUD., 1–3 (2016) (describing the *pro homine* principle as a key element of international human rights law. It recognizes its universal values centered on individuals and their interests need to be taken into consideration when developing and applying international law).

6. *See infra* Parts II, III.

of the Court.⁷

A brief allusion will then be made to other works that have analyzed the level of compliance with the Court's rulings. It should be noted that our analysis of these works was performed after having completed our research, so that their conclusions would not influence our work.

Next, the methodology used to collect and organize the information will be explained, which allowed the Judgements on Merits to be compared with the different Complementary Judgments (Preliminary Objections, Reparations and Costs, Compliance with Judgment and Interpretation of Judgments), Provisional Measures, Monitoring Compliance with Judgment and other resolutions that may exist in each case, in addition to various official data on the current situation of the cases. All of this information is organized in the Annex of this work. Then, due to the cross-checking of information, various data of interest will be presented in a series of lists, graphs and tables.

Finally, in the conclusions, the data will be compared to what is theoretically indicated by the majority doctrine regarding the influence of the Inter-American System and the role of the Court in the protection of human rights within countries of the region.

II. THE MAIN IDEAS ARGUED BY THE MAJORITY DOCTRINE

Undoubtedly, the recent evolution of the Inter-American System for the Protection of Human Rights has significantly and unexpectedly changed the way of understanding and operating the law within the region under its jurisdiction.⁸ This shift has generated an abundance of doctrinal production that has been commissioned to address multiple aspects of the phenomenon.⁹

This has led several authors to consider that we may be facing a new legal paradigm¹⁰ marked by the increasing importance and influence of

7. See *infra* Part II.

8. González, *The Experience of the Inter-American Human Rights System*, 40 VICTORIA U. WELLINGTON L. REV. 103–26 (2009).

9. See *Id.*

10. With higher or lower intensities, this new legal paradigm is addressed, among many others in Ariel E. Dulitzky, *An Inter-American Constitutional Court? The Invention of the Conventionality Control by the Inter-American Court of Human Rights*, 50 TEX. INT'L L.J. 45, 93 (2015); ANTONIO A. CAÑADO TRINDADE, *EL DERECHO INTERNACIONAL DE LOS DERECHOS HUMANOS EN EL SIGLO XXI [THE INTERNATIONAL LAW OF HUMAN RIGHTS IN THE XXI CENTURY]* (Editorial Jurídica de Chile ed. [E.J.C ed.], 2006); Humberto Nogueira Alcalá, *El uso del derecho y jurisprudencia constitucional extranjera de tribunales internacionales no vinculantes por el tribunal constitucional chileno en el periodo 2006-2011 [The Use of the International Constitutional Law and Jurisprudence of Unenforceable Courts by the Chilean Constitutional Tribunal During 2006–2011]*, 11 ESTUDIOS CONSTITUCIONALES [E.C.] 221, 268 (2013) (Chile) [hereinafter Nogueira Alcalá, *The Chilean Constitutional Tribunal During 2006–2011*]; Miguel Carbonell, *Introducción general al control de convencionalidad [General*

various international organizations in the creation and application of law (in our case, the Court).¹¹ And although there are many nuances within the support of this new paradigm, all agree on emphasizing the loss of importance of state bodies of legal production, which occurs as a result of a growing permeability with respect to standards and interpretations originating from international bodies.¹²

Introduction to Conventionality Control], UNAM 67, 67–68 (2011) <https://archivos.juridicas.unam.mx/www/bjv/libros/7/3271/11.pdf>; Eduardo Ferrer Mac-Gregor, *El control difuso de convencionalidad en el estado constitucional* [*The Diffuse Control of Compliance in a Constitutional State*], UNAM 151, 176 (2010) (Mex.) [hereinafter Ferrer Mac-Gregor, *The Diffuse Control of Compliance in a Constitutional State*]; Gonzalo Aguilar Cavallo, *El control de convencionalidad en la era del constitucionalismo de los derechos. Comentario a la sentencia de la Corte Suprema de Chile en el caso denominado episodio Rudy Cárcamo Ruiz de fecha 24 de Mayo de 2012* [*The Compliance Control in the Century of Constitutionalism of Rights. Commentary on the Ruling of the Supreme Court of Chile in the Case Named Episode Rudy Cárcamo Ruiz dated May 24, 2012*], 10 ESTUDIOS CONSTITUCIONALES [E.C.] 717, 749 (2012) (Chile); Sergio García Ramírez, *El control judicial interno de convencionalidad* [*The Conventional Internal Control Court*], 5 REVISTA IUS 123, 135 (2011) (Mex.); Diego García-Sayán, *La recepción nacional del derecho internacional de los derechos humanos y de la jurisprudencia de la Corte Interamericana de Derechos Humanos* [*The National Reception of the Human Rights International Law and the Jurisprudence of the Inter-American Court of Human Rights*] UNAM 91, 93 (Mex.); Néstor P. Sagüés, *Las relaciones entre los tribunales internacionales y los tribunales nacionales en materia de derechos humanos. Experiencias en Latinoamérica* [*The Relationship Between International Courts and National Courts in Humans Rights Matters. Experiences in Latin America*], 9 IUS ET PRAXIS 205, 209 (2003) (Chile) [hereinafter Sagüés, *The Relationship Between International Courts and National Courts in Humans Rights Matters*]; Andrea Lucas Garín, *Nuevas dimensiones del principio de división de poderes en un mundo globalizado* [*New Dimensions of the Principle of Division of Powers in a Globalized World*], 7 ESTUDIOS CONSTITUCIONALES [E.C.] 241, 251 (2009) (Chile); Jorge Tapia Valdés, *Poder constituyente irregular: los límites metajurídicos del poder constituyente originario* [*Irregular Constituent Power: The Meta-Legal of the Original Constituent Power*], 6 ESTUDIOS CONSTITUCIONALES [E. C.] 121, 129 (2008) (Chile); Rubén Enrique Becerra Rojasvértiz, *Enfrentar los desafíos del control de convencionalidad* [*Face the Challenges of the Compliance Control*], 8 JUSTICIA Y SUFRAGIO REVISTA ESPECIALIZADA EN DERECHO ELECTORAL [J.S.R.E.D.E.] 20, 24 (2016) (Mex.); Miguel Ángel Fernández González, *La aplicación por los tribunales chilenos del derecho internacional de los derechos humanos* [*The Application of the Human Rights International Law by the Chilean courts*], 8 ESTUDIOS CONSTITUCIONALES [E.C.] 425, 441 (2010) (Chile); Jorge Andrés Mora Méndez, *El control de convencionalidad: un replanteamiento de principios y fuentes del Derecho* [*The Compliance Control: a Rethinking of Principles and Sources of Law*], 12 REVISTA REPUBLICANA [R.R.] 217, 221 (2012) (Colom.); Alfonso Santiago, *El Derecho Internacional de los Derechos Humanos: posibilidades, problemas y riesgos de un nuevo paradigma jurídico* [*The International Human Rights Law: Possibilities, Problems and Risks of a New Legal Paradigm*], 60 REVISTA PERSONA Y DERECHO [R.P.D.] 91, 113 (2009) (Spain).

11. See *infra* notes 17–42.

12. Juan Carlos Hitters, *¿Son vinculantes los pronunciamientos de la Comisión y de la Corte Interamericana de Derechos Humanos? (control de constitucionalidad y convencionalidad)* [*Are the Pronouncements of the Commission and of the Inter-American Court of Humans Rights Binding? (Constitutionality and Conventionality Control)*], 10 REVISTA IBEROAMERICANA DE DERECHO PROCESAL CONSTITUCIONAL [R.I.D.P.C.] 131, 156 (2008) (Mex.) [hereinafter Hitters, *Pronouncements of the*

Commission]; Francisco Jiménez García, *Activismo judicial en la evolución del Derecho Internacional: hacia la configuración de un incipiente orden público internacional* [*Judicial Activism in the Evolution of International Law: Towards the Configuration of an Incipient International Public Order*], 17 AGENDA INTERNACIONAL [A.I.] 75, 76, 102 (2010) (Peru); José Luis Caballero Ochoa, La cláusula de interpretación conforme y el principio pro persona (art. 1º segundo párrafo de la Constitución) [The Conforming Interpretation Clause and The Pro Persona Principle (Art. 1 Second Paragraph of The Constitution)], in MIGUEL CARBONELL SÁNCHEZ & PEDRO SALAZAR UGARTE, LA REFORMA CONSTITUCIONAL DE DERECHOS HUMANOS: UN NUEVO PARADIGMA [THE CONSTITUTIONAL REFORM OF HUMANS RIGHTS: A NEW PARADIGM], 103, 133 (UNAM ed., 1st ed. 2011); José de Jesús Becerra Ramírez & Adrián Joaquín Miranda Camarena, *El uso del canon internacional de los derechos humanos* [*The Use of the International Human Rights Canon*], 12 OPINIÓN JURÍDICA [O.J.] 17, 19 (2013) (Colom.); Humberto Nogueira Alcalá, *Diálogo interjurisdiccional, control de convencionalidad y jurisprudencia del Tribunal Constitucional en el periodo 2006–2011* [*Inter-jurisdictional Dialogue, Control of Conventionality and Jurisprudence of the Constitutional Court in the Period 2006–2011*], 10 ESTUDIOS CONSTITUCIONALES [E.C.] 57, 86 (2012) (Chile); Gastón Pereyra Zabala, *El control de convencionalidad en el sistema interamericano de derechos humanos. Implicaciones en el ordenamiento constitucional argentino* [*Conventionality Control in the Inter-American System of Human Rights. Implications in the Argentine Constitutional Code of Laws*], 6 REVISTA DE DERECHO [R.D.] 155, 161–62 (2011) (Uru.); Ferrer Mac-Gregor, *The Diffuse Control of Compliance in a Constitutional State*, *supra* note 10, at 151, 188; Ernesto Rey Cantor, *Controles de convencionalidad de las leyes* [*Conventionality Control of the Laws*], in LA CIENCIA DEL DERECHO PROCESAL CONSTITUCIONAL. ESTUDIOS EN HOMENAJE A HÉCTOR FIX-ZAMUDIO EN SUS CINCUENTA AÑOS COMO INVESTIGADOR DEL DERECHO [THE SCIENCE OF CONSTITUTIONAL PROCEDURAL LAW. STUDIES IN TRIBUTE TO HÉCTOR FIX-ZAMUDIO IN HIS FIFTY YEARS AS A LAW RESEARCHER], 9 DERECHOS HUMANOS Y TRIBUNALES INTERNACIONALES [D.H.T.I.] 225 (2008) (Mex.); Néstor P. Sagüés, *Obligaciones internacionales y control de convencionalidad* [*International Obligations and “Conventionality Control”*], 8 ESTUDIOS CONSTITUCIONALES [E.C.] 117, 136 (2010) (Chile) [hereinafter Sagüés, *International Obligations*]; Gonzalo García Pino, *Preguntas esenciales sobre el control de convencionalidad difuso aplicables a Chile* [*Essential Questions About the Conventionality Control Applicable Diffuse to Chile*], in LA PROTECCIÓN DE LOS DERECHOS HUMANOS Y FUNDAMENTALES DE ACUERDO A LA CONSTITUCIÓN Y EL DERECHO INTERNACIONAL DE LOS DERECHOS HUMANOS [THE PROTECTION OF HUMAN RIGHTS IN ACCORDANCE WITH THE CONSTITUTION AND INTERNATIONAL LAW OF HUMAN RIGHTS] 355 (Librotecnia ed., 2014); HUMBERTO NOGUEIRA ALCALÁ, LA PROTECCIÓN DE LOS DERECHOS HUMANOS Y FUNDAMENTALES DE ACUERDO A LA CONSTITUCIÓN Y EL DERECHO INTERNACIONAL DE LOS DERECHOS HUMANOS [HUMAN AND FUNDAMENTAL RIGHTS PROTECTION ACCORDING TO THE CONSTITUTION AND INTERNATIONAL HUMAN RIGHTS LAW] 355–79 (Librotecnia ed. 2014); José Antonio Caballero Juárez, *La recepción de jurisprudencia internacional y la ejecución de fallos en tribunales nacionales. Apuntes para su estudio* [*The Reception of International Jurisprudence and the Execution of Failures in National Courts. Study Notes*], in RECEPCIÓN NACIONAL DEL DERECHO INTERNACIONAL DE LOS DERECHOS HUMANOS Y ADMISIÓN DE LA COMPETENCIA CONTENCIOSA DE LA CORTE INTERAMERICANA [NATIONAL RECEPTION OF INTERNATIONAL HUMAN RIGHTS LAW AND ADMISSION OF CONTENTIOUS JURISDICTION OF THE INTER-AMERICAN COURT] 191 (Miguel López Ruiz ed., 2009); MIREYA CASTAÑEDA HERNÁNDEZ & SERGIO GARCÍA RAMÍREZ, RECEPCIÓN NACIONAL DEL DERECHO INTERNACIONAL DE LOS DERECHOS HUMANOS Y ADMISIÓN DE LA COMPETENCIA CONTENCIOSA DE LA CORTE INTERAMERICANA [NATIONAL RECEPTION OF THE INTERNATIONAL HUMAN RIGHTS AND ACCEPTANCE OF THE CONTENTIOUS COMPETENCE OF THE INTER-AMERICAN COURT] 191, 209 (UNAM ed., 2009); García-Sayán, *supra* note 10, at 94–95; María Carmelina Londoño Lázaro, *El principio de legalidad y el control de convencionalidad de las leyes: confluencias y perspectivas en el pensamiento de la Corte Interamericana de Derechos Humanos* [*The Legality Principle and the Conventionality Control: Confluences and Developments in the Inter-*

That is why the rulings of the Court “bind all authorities and national bodies, independent of their belonging to the legislative, executive or judicial powers, bearing in mind that the State responds as a whole and acquires international responsibility in any breach of the international instruments that it has assumed.”¹³

The foregoing indicates that there is an “obligation of States to comply with international judgment in a direct, prompt, integral and effective manner,”¹⁴ so as to enable the “progress of a clearer identification in the essential content of rights, particularly considering the American Convention on Human Rights (American Convention) and the jurisprudence of the Court.”¹⁵

There are even voices referring to a situation already consolidated in the region:

The Inter-American System has all the legal and institutional tools (always perfectible) to deepen the respect, protection and guarantee of the rights contained in the Convention. The Inter-American System of Human Rights is reasonably healthy from a normative and institutional perspective. The American Convention, Rules of the Court, the existing rulings and advisory opinions, and the recognition of authority are already a fact of the case. The System works as well as it was conceived by the States that created it.¹⁶

American Court of Human Rights], 43 BOLETIN MEJICANO DE DERECHO COMPARADO [B.M.D.C.] 761, 814 (2010) (Mex.); Manuel Núñez Poblete, *Introducción al concepto de identidad constitucional y a su función frente al derecho supranacional e internacional de los derechos de la persona* [Introduction to the Concept of Constitutional Identity and its Role Before Supranational and International Law of Human Rights], 14 Revista IUS ET PRAXIS [R.I.E.P.] 331 (2008) (Chile); Tapia Valdés, *supra* note 10, at 123–25, 133–34.

13. Eduardo Ferrer Mac-Gregor, *Interpretación conforme y control difuso de convencionalidad. El nuevo paradigma para el juez mexicano* [Conform Interpretation and Diffuse Control of Compliance. The New Paradigm for the Mexican Judge], 9 ESTUDIOS CONSTITUCIONALES [E.C.] 339, 590 (2011) (Chile) [hereinafter Ferrer Mac-Gregor, *New Paradigm for the Mexican Judge*]; see CARBONELL & SALAZAR, *supra* note 12, at 339–429.

14. Eduardo Ferrer Mac-Gregor, *Eficacia de la sentencia interamericana y la cosa juzgada internacional: vinculación directa hacia las partes (res judicata) e indirecta hacia los estados parte de la Convención Americana (res interpretata) (sobre el cumplimiento del caso Gelman vs. Uruguay)* [The Effectiveness of the Inter-American Court Decision and the International Res Judicata: Direct Binding Towards the Parties (Res Judicata) and Indirect Towards the State Parties of the American Convention (Res Interpretata) (The Enforcement of the Case Gelman v. Uruguay)], 11 ESTUDIOS CONSTITUCIONALES [E.C.] 618, 655 (2013) (Chile) [hereinafter Ferrer Mac-Gregor, *Case Gelman v. Uruguay*].

15. Caballero Ochoa, *supra* note 12, at 118.

16. María Angélica Benavides Casals, *El efecto erga omnes de las sentencias de la Corte Interamericana de Derechos Humanos* [The Erga Omnes Effect of the Decisions of the Inter-American Court of Human Rights], 27 REVISTA COLOMBIANA DE DERECHO INTERNACIONAL [R.C.D.I.] 141, 153–54 (2015) (Colom.).

The above is linked to the remarkable development of the conventionality control doctrine, both the one created by the Court itself (called “external” or “concentrated”)¹⁷ and the one that the Court orders local judges to perform (called “internal” or “diffuse” by some authors).¹⁸ In this way, all national authorities,¹⁹ along with the Judiciary, should not only

17. Hitters, *Pronouncements of the Commission*, *supra* note 12, 153; Karlos Castilla Juárez, *El control de convencionalidad: un nuevo debate en México a partir de la sentencia del caso Radilla Pacheco* [*The Compliance Control: a New Debate in Mexico from Padilla Pacheco Judgment*], 11 ANUARIO MEXICANO DE DERECHO INTERNACIONAL [A.M.D.I.] 593, 624 (2011) (Mex.). See also Christina Binder, *¿Hacia una Corte Constitucional de América Latina? La jurisprudencia de la Corte Interamericana de Derechos Humanos con un enfoque especial sobre las amnistías* [*Towards a Constitutional Court in Latin America? The jurisprudence of the Inter-American Court of Human Rights with a special focus on amnesties*], in II LA JUSTICIA CONSTITUCIONAL Y SU INTERNACIONALIZACIÓN. ¿HACIA UN IUS CONSTITUTUONALE COMMUNE EN AMÉRICA LATINA? [THE CONSTITUTIONAL JUSTICE AND ITS INTERNATIONALIZATION. TOWARDS AN IUS CONSTITUTUONALE COMMUNE IN LATIN AMERICA?] 159 (UNAM ed., 2010) (Mex.), <https://todosobrelacorte.files.wordpress.com/2011/04/binder-hacia-una-corte-constitucional-de-al.pdf>; MAX-PLANCK-INSTITUT FÜR AUSLÄNDISCHES ÖFENTLICHES RECHT UND VOLKERRECHT [MAX PLANCK INSTITUTE FOR COMPARATIVE PUBLIC LAW AND INTERNATIONAL LAW], <https://www.mpil.de/de/pub/aktuelles.cfm> (last visited Jan. 19, 2020); Juan Carlos Hitters, *Control de constitucionalidad y control de convencionalidad. Comparación (Criterios fijados por la Corte Interamericana de Derechos Humanos)* [*Constitutional Control and Conventional Control. Comparison. Criteria Established by the Inter-American Court of Human Rights*] 7 ESTUDIOS CONSTITUCIONALES [E.C.] 109, 128 (2009) (Chile) [hereinafter Hitters, *Constitutional Control*].

18. Humberto Nogueira Alcalá, *El control de convencionalidad y el diálogo interjurisdiccional entre tribunales nacionales y Corte Interamericana de Derechos Humanos* [*The Compliance Control and the Inter-Jurisdictional Dialogue Between National Courts and the Inter-American Court of Human Rights*], 10 REDCE 221, 263 (2013) (Spain) [hereinafter Nogueira Alcalá, *The Compliance Control*]; Carbonell, *supra* note 10, at 86–87; Caballero Ochoa, *supra* note 12, at 119; Hitters, *Constitutional Control*, *supra* note 17, at 111; Sagüés, *International Obligations*, *supra* note 12, at 275.

19. Eduardo Ferrer Mac-Gregor, *Control de convencionalidad (sede interna)* [*Conventionality Control (internal headquarter)*], in DICCIONARIO DE DERECHO PROCESAL CONSTITUCIONAL Y CONVENCIONAL [DICTIONARY OF CONSTITUTIONAL PROCEDURE LAW AND CONVENTIONALITY] 236, 240 UNAM ed., 2nd 2014) (Mex.) [hereinafter Ferrer Mac-Gregor, *Conventionality Control (internal headquarter)*]; Juan Carlos Hitters, *Un avance en el control de convencionalidad. (El efecto «erga omnes» de las sentencias de la Corte Interamericana)* [*An Advance in the Compliance Control. (The “Erga Omnes” Effect of the Inter-American Court)*], 11 ESTUDIOS CONSTITUCIONALES [E.C.] 695, 708 (2013) (Chile) [hereinafter Hitters, *An Advance in the Compliance Control*]; Néstor P. Sagüés, *Derechos constitucionales y derechos humanos. De la Constitución Nacional a la Constitución “convencionalizada”* [*Constitutional Rights and Human Rights. From the National Constitution to the Constitution “Conventionalized”*], in LA PROTECCIÓN DE LOS DERECHOS HUMANOS Y FUNDAMENTALES DE ACUERDO A LA CONSTITUCIÓN Y EL DERECHO INTERNACIONAL DE LOS DERECHOS HUMANOS [THE PROTECTION OF FUNDAMENTAL AND HUMAN RIGHTS ACCORDING TO THE INTERNATIONAL HUMAN RIGHT LAW] 15, 18 (Humberto Nogueira Alcalá ed., 2014) (Chile); Ernesto Rey Cantor et al., *Control de convencionalidad, (test de)* [*Conventionality Control, (Test of)*], in DICCIONARIO DE DERECHO PROCESAL CONSTITUCIONAL Y CONVENCIONAL [DICTIONARY OF CONSTITUTIONAL PROCEDURE LAW AND CONVENTIONALITY] 240 (UNAM ed., 2nd ed. 2014) (Mex.); Pablo Contreras, *Control de convencionalidad, deferencia internacional y discreción nacional en la jurisprudencia de la Corte*

consider the American Convention and the other treaties of the Inter-American system, but also the jurisprudence that the Court itself develops from these treaties,²⁰ since they are considered to be “living instruments.”²¹ In addition, with respect to the external conventionality control, in some cases the norm declared unconventional would have no legal effect for the Court until it is instated.²²

Thus, without prejudice regarding what the executive and legislative powers should do, national judges are called to be the main guardians of the American Convention and other regional treaties²³ in order to eventually

Interamericana de Derechos Humanos [Control of Conventionality, International Deference, and National Discretion in the Inter-American Court of Human Rights Case Law], 20 IUS ET PRAXIS 235, 237–38 (2014) (Chile).

20. Ferrer Mac-Gregor, *New Paradigm for the Mexican Judge*, *supra* note 13, at 532; Rey Cantor, *supra* note 19, at 271–72; GONZALO GARCÍA PINO & PABLO CONTRERAS VÁSQUEZ, 55 DICCIONARIO CONSTITUCIONAL CHILENO [CHILEAN CONSTITUTIONAL DICTIONARY] 219–20 (Hueders ed., 2014) (Chile); see Nogueira Alcalá, *The Compliance Control*, *supra* note 18, at 221–22. This is stated in almost all the judgments of the Court that refer to conventionality control.

21. CANÇADO TRINDADE, *supra* note 10, at 47–48; Luis Daniel Vásquez & Sandra Serrano, *Los principios de universalidad, interdependencia, indivisibilidad y progresividad. Apuntes para su aplicación práctica [The Universitas Juris, Inter-Dependence, Indivisibility and Progressiveness]*, in LA REFORMA CONSTITUCIONAL DE DERECHOS HUMANOS: UN NUEVO PARADIGMA [THE CONSTITUTIONAL REFORM OF HUMAN RIGHTS: A NEW PARADIGM] 135, 145 (UNAM ed., 2011) (Mex.); Ferrer Mac-Gregor, *New Paradigm for the Mexican Judge*, *supra* note 13, at 532; Manuel Núñez Poblete, *Principios metodológicos para la evaluación de los acuerdos aprobatorios de los tratados internacionales de derechos humanos y de las leyes de ejecución de obligaciones internacionales en la misma materia [Methodological Principles for the Evaluation of the Agreements Approving International Human Rights Treaties and the Law for the Execution of International Obligations in the Same Subject]*, 2 HEMICILO 51, 53 (2011) (Chile); Liliana Galdámez Zelada, *Protección de la víctima, cuatro criterios de la Corte Interamericana de Derechos Humanos: interpretación evolutiva, ampliación del concepto de víctima, daño al proyecto de vida y reparaciones [Protection of the Victim, four Criteria of the Inter-American Human Rights Court: Evolutionary Interpretation, Extension of the Concept of Victim, Damage and Indemnification]*, 34 REVISTA CHILENA DE DERECHO [R.CH.D.] 439, 444 (2007) (Chile).

22. Rey Cantor, *supra* note 19, at 261–62; Ferrer Mac-Gregor, *The Diffuse Control of Compliance in a Constitutional State*, *supra* note 10, at 187; Diego Germán Mejía Lemos, *On the ‘Control de Convencionalidad’ Doctrine: a Critical Appraisal of the Inter-American Court of Human Rights’ Relevant Case Law*, 14 ANUARIO MEXICANO DERECHO INTERNACIONAL [A.M.D.I.] 117, 119–20 (2014) (Mex.); Sagüés, *International Obligations*, *supra* note 12, at 127–28; Jiménez García, *supra* note 12, at 75, 102.

23. Binder, *supra* note 17, at 172; Nogueira Alcalá, *the Chilean Constitutional Tribunal During 2006–2011*, *supra* note 10, at 227; Ferrer Mac-Gregor, *The Diffuse Control of Compliance in a Constitutional State*, *supra* note 10, at 177, 186; Néstor P. Sagüés, *El “control de convencionalidad” en el sistema interamericano y sus anticipos en el ámbito de los derechos económico-sociales. Concordancias y diferencias con el sistema europeo [The Conventionality Control in the Inter-American System and its Advances in the Socioeconomic Rights Field. Concordances and Differences with the European System]*, in DIÁLOGO JURISPRUDENCIAL EN DERECHOS HUMANOS ENTRE TRIBUNALES NACIONALES Y CORTES INTERNACIONALES [JURISPRUDENCIAL DIALOGUE ON HUMAN RIGHTS BETWEEN

apply the criteria issued by the Court, rather than those created by their own countries at the time of ruling on human rights cases.²⁴ This has led numerous authors to call them “Inter-American judges.”²⁵ Consequently, they are invited to perform an “interjurisdictional dialogue”²⁶ with the Court in order to follow their criteria and, if necessary, to improve them.²⁷

For the same reasons, and as a manifestation of this interjurisdictional dialogue, it should be noted that international treaties and jurisprudence are the “minimum standard”²⁸ for human rights protection, which empower national judges to ignore local regulations in pursuit of international norms, unless they are more protective than the latter; if that is the case, the domestic standards prevail, all under the *pro homine* principle.²⁹

NATIONAL AND INTERNATIONAL COURTS] 7, 8 (Tirant lo Blach ed., 2013) (Spain) [hereinafter Sagüés, *The Conventionality Control in the Inter-American System*]; Dulitzky, *supra* note 10, at 48, 76.

24. Binder, *supra* note 17, at 172.

25. Ferrer Mac-Gregor, *New Paradigm for the Mexican Judge*, *supra* note 13, at 396, 427–28; Carbonell, *supra* note 10, at 80; Humberto Nogueira Alcalá, *Los desafíos del control de convencionalidad del corpus iuris interamericano para las jurisdicciones nacionales* [*The Challenges of Conventionality Control of the Inter-American Corpus Iuris for the National Jurisdictions*], 45 BOLETÍN MEXICANO DE DERECHO COMPARADO [B.M.D.C.]1170, 1195 (2012) (Mex.); Dulitzky, *supra* note 10, at 70; Becerra Rojasvértiz, *supra* note 10, at 21.

26. Sagüés, *The Relationship Between International Courts and National Courts in Humans Rights Matters*, *supra* note 10, at 220–21; Ferrer Mac-Gregor, *Conventionality Control (internal headquarter)*, *supra* note 19, at 240; Víctor Bazán, *El control de convencionalidad: incógnitas, desafíos y perspectivas* [*The Conventionality Control: Unknowns, Challenges, and Perspectives*], JUSTICIA CONSTITUCIONAL DE DERECHOS FUNDAMENTALES [J.C.D.F] 17, 56 (2012); García Pino, *supra* note 12, at 375–76. See Nogueira Alcalá, *The Chilean Constitutional Tribunal During 2006–2011*, *supra* note 10, at 57–140.

27. Nogueira Alcalá, *Inter-jurisdictional Dialogue*, *supra* note 12, at 87; Nogueira Alcalá, *The Compliance Control and the Inter-jurisdictional Dialogue*, *supra* note 18, at 248–49.

28. Hitters, *Pronouncements of the Commission*, *supra* note 12, at 153; Ferrer Mac-Gregor, *New Paradigm for the Mexican Judge*, *supra* note 13, at 532, 535–36, 556, 585, 597–99; Nogueira Alcalá, *Inter-jurisdictional Dialogue*, *supra* note 12, at 58–59, 64, 68, 71–72, 81, 84–85, 96, 100–02, 124; Juan Manuel Gómez Robledo, *La implementación del Derecho Internacional de los Derechos Humanos en el ámbito interno: una tarea pendiente* [*The Implementation of International Human Rights Law in the Domestic Sphere: A Pending Task*], in RECEPCIÓN NACIONAL DEL DERECHO INTERNACIONAL DE LOS DERECHOS HUMANOS Y ADMISIÓN DE LA COMPETENCIA DE LA CORTE INTERAMERICANA [NATIONAL RECEPTION OF THE INTERNATIONAL HUMAN RIGHTS LAW AND ADMISSION OF THE COMPETENCE OF THE INTER-AMERICAN COURT] 127, 127–50 (Sergio García Ramírez et al. eds., 2009) (Mex.); Antonia Urrejola Noguera, *El sistema interamericano de derechos humanos: el debate sobre su fortalecimiento en el seno de la Organización de Estados Americanos* [*The Inter-American Human Rights System: The Debate over its Strengthening Within the Organization of American States*], 9 ANUARIO DE DERECHOS HUMANOS [A.D.H.] 205, 213 (2013) (Chile).

29. Hitters, *An Advance in the Compliance Control*, *supra* note 19, at 708–09; Ferrer Mac-Gregor, *Case Gelman v. Uruguay*, *supra* note 14, at 669; García Ramírez, *supra* note 10, at 133, 139; Claudio Nash Rojas, *Control de convencionalidad. Precisiones conceptuales y desafíos a la luz de la*

Nevertheless, the theory of conventionality control has gone further, since from the Court's point of view in some of its rulings,³⁰ the majority doctrine has strongly urged the *erga omnes* effect of the judgments of this court.³¹ Thus, the reasoning³² adopted by them (the so-called “*res interpretata*”)³³ would affect each country within the Inter-American System whether or not they were involved in the judgment that gave rise to the

jurisprudencia de la Corte Interamericana de Derechos Humanos [Conventionality Control. Conceptual Precisions and Challenges in Light of the Jurisprudence of the Inter-American Court of Human Rights], 19 ANUARIO DE DERECHO CONSTITUCIONAL LATINOAMERICANO [A.D.C.L.] 489, 490 (2013) (Chile); Nicolás León Henríquez, *La acción de inaplicabilidad por inconstitucionalidad sobre los tratados internacionales [The Action of Inapplicability Due to Unconstitutionality over International Treaties]*, 62 CUADERNOS DEL TRIBUNAL CONSTITUCIONAL [C.T.B.] (2015) (Chile).

30. *Gelman v. Uruguay*, Merits and Reparations, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 221, ¶ 123 (Feb. 24, 2011). See also *Ituango Massacres v. Colombia*, Preliminary Objections, Merits, Reparations and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 148, ¶¶ 45, 47 (July 1, 2006), and *Rights and Guarantees of Children in the Context of Migration and/or in Need of International Protection*, Advisory Opinion OC-21/14, Inter-Am. Ct. H.R. (ser. A) No. 21, ¶ 226 (Aug. 19, 2014) (always referring to this supervision, and tangentially alluding the *Gelman v. Uruguay* case).

31. Hitters, *An Advance in the Compliance Control*, *supra* note 19, at 698–700, 705, 708; Manuel Becerra Ramírez, *La jerarquía de los tratados en el orden jurídico interno. Una visión desde la perspectiva del Derecho Internacional [The Hierarchy of Treaties in The Domestic Legal System. A View from the Perspective of the International Law]* in RECEPCIÓN NACIONAL DEL DERECHO INTERNACIONAL DE LOS DERECHOS HUMANOS Y ADMISIÓN DE LA COMPETENCIA DE LA CORTE INTERAMERICANA [NATIONAL RECEPTION OF THE INTERNATIONAL HUMAN RIGHTS LAW AND ADMISSION OF THE COMPETENCE OF THE INTER-AMERICAN COURT] 291, 303 (Sergio García Ramírez et al. eds., 2009) (Mex.); Caballero Ochoa, *supra* note 12, at 130; Ferrer Mac-Gregor, *New Paradigm for the Mexican Judge*, *supra* note 13, at 578; Ferrer Mac-Gregor, *Case Gelman v. Uruguay*, *supra* note 10, at 657, 674–75; García Ramírez, *supra* note 10, at 128, 139; Eduardo Meier García, *Nacionalismo constitucional y derecho internacional de los derechos humanos [Constitutional Nationalism and International Law of Human Rights]*, 9 ESTUDIOS CONSTITUCIONALES [E.C.] 329, 334–35, 371 (2011) (Chile); Humberto Nogueira Alcalá, *Los desafíos del control de convencionalidad del corpus iuris interamericano para los tribunales nacionales, en especial para los tribunales constitucionales [The Challenges of Control of Conventionality of the Corpus Iuris Inter-American to the National Courts, in Particular for the Constitutional Courts]*, 76 REVISTA DE DERECHO PÚBLICO [R.D.P.] 331, 341 (2014) [hereinafter Nogueira Alcalá, *The Challenges for the Constitutional Courts*]; Pereyra Zabala, *supra* note 12, at 167, 173; Sagüés, *International Obligations*, *supra* note 12, at 283–84, 289.

32. The reasoning, not the sentencing, which evidently only affects the State that has been part of the judgment.

33. Néstor Pedro Sagüés, *El ‘control de convencionalidad’ como instrumento para la elaboración de un ius commune interamericano [The “Conventionality Control” as an Elaboration Instrument of an Inter-American Ius Commune]*, UNAM 449, 462 (2016), <https://archivos.juridicas.unam.mx/www/bjv/libros/6/2895/15.pdf>; Hitters, *An Advance in the Compliance Control*, *supra* note 19, at 706–07; Nogueira Alcalá, *The Challenges for the Constitutional Courts*, *supra* note 31, at 341; GARCÍA PINO & CONTRERAS VÁSQUEZ, *supra* note 20, at 219–20; Juana María Ibáñez Rivas, *Control de convencionalidad: precisiones para su aplicación desde la jurisprudencia de la Corte Interamericana de Derechos Humanos [Conventional Control: Details for its Application from the Jurisprudence of the Inter-American Court of Human Rights]*, 8 ANUARIO DE DERECHOS HUMANOS [A.D.H.] 103, 113 (2012).

interpretation, through the application of conventionality control by national judges.³⁴ The Court is the final³⁵ and un-appealable³⁶ interpreter of the American Convention, which is why, in essence, the Court considers that its exegesis should be incorporated, thus obliging all countries that have signed it.³⁷

Consequently, it is intended to reach an Inter-American *ius commune*³⁸ (or an Inter-American *Corpus Iuris*)³⁹ that would lead to an Ibero-American public order,⁴⁰ transforming the Court into a sort of

34. Eduardo Ferrer Mac-Gregor, *Symposium: The Constitutionalization of International Law in Latin America Conventionality Control the New Doctrine of the Inter-American Court of Human Rights*, 109 ASIL 93, 95–96 (2015), <https://www.asil.org/sites/default/files/Ferrer%20Mac-Gregor,%20Conventionality%20Control.pdf>.

35. Sagüés, *The Conventionality Control in the Inter-American System*, *supra* note 23, at 386; Nogueira Alcalá, *Inter-Jurisdictional Dialogue*, *supra* note 12, at 58–59, 62–63, 91–95; Ferrer Mac-Gregor, *New Paradigm for the Mexican Judge*, *supra* note 13, at 340; Hitters, *Constitutional Control*, *supra* note 17, at 115, 122; Aguilar Cavallo, *The Compliance Control*, *supra* note 10, at 725–26.

36. Héctor Fix Zamudio, *El derecho internacional de los derechos humanos en las Constituciones latinoamericanas y en la Corte Interamericana de Derechos Humanos* [*The Human Rights International Law in the Latin American Constitutions and the Inter-American Human Rights Court*], 1 REVISTA LATINOAMERICANA DE DERECHO [R.L.D.] 141 (2007) (Mex.); Nogueira Alcalá, *The Compliance Control and the Inter-Jurisdictional Dialogue*, *supra* note 18, at 340; Gonzalo Aguilar Cavallo, “Afinando las cuerdas” de la especial articulación entre el Derecho Internacional de los Derechos Humanos y el Derecho Interno [*Tuning the Strings” of the Special Articulation Between the Human Rights International Law and the Internal Law*], 11 ESTUDIOS CONSTITUCIONALES [E.C.] 633, 654 (2013) (Chile); Eduardo Meier García, *supra* note 31 at 329, 333.

37. Joseph Diab, *United States Ratification of the American Convention on Human Rights*, 2.2 DUKE J. COMP. & INT’L L. 323, 327 n.33 (1992).

38. Nogueira Alcalá, *The Challenges of Conventionality Control*, *supra* note 25, at 1218; Hitters, *Pronouncements of the Commission*, *supra* note 12, at 153; Ariel E. Dulitzky, *El impacto del control de convencionalidad. ¿Un cambio de paradigma en el sistema interamericano de derechos humanos?* [*The Impact of the Conentionality Control. Is it a Change of the Paradigm in the Inter-American Human Rights?*], in TRATADO DE LOS DERECHOS CONSTITUCIONALES [TREATIES OF CONSTITUTIONAL LAW] 533, 569 (Abeledo Perrott ed., 2014) (Arg.); García Ramírez, *supra* note 10, at 127; Sagüés, *The Conventionality Control in the Inter-American System*, *supra* note 23, at 449–51, 467.

39. María Angélica Benavides Casals, *El consenso y el margen de apreciación en la protección de los derechos humanos* [*The Consensus and Margin of Appreciation in the Protection of Human Rihgts*], 15 IUS ET PRAXIS [I.E.P] 295, 310 (2009) (Chile); Londoño Lázaro, *supra* note 12, at 763; Caballero Ochoa, *supra* note 12, at 129; Nogueira Alcalá, *Inter-jurisdictional Dialogue*, *supra* note 12, at 79–87; Ferrer Mac-Gregor, *New Paradigm for the Mexican Judge*, *supra* note 13, at 392–94.

40. Nogueira Alcalá, *The Chilean Constitutional Tribunal During 2006–2011*, *supra* note 10, at 149, 187; Ana María Moure, *El Defensor Interamericano y la defensa de los derechos del niño. Caso Furlán* [*The Inter-American Defender and the Defense of the Rights of the Children*], 40 REVISTA CHILENA DE DERECHO [R.CH. D.] 989 (2013) (Chile); Ramírez, *supra* note 31, at 301–04; Gabriela Rodríguez Huerta, *Derechos humanos: jurisprudencia internacional y jueces internos* [*Human Rights: International Jurisprudence and Internal Judges*], in RECEPCIÓN NACIONAL DEL DERECHO INTERNACIONAL DE LOS DERECHOS HUMANOS Y ADMISIÓN DE LA COMPETENCIA DE LA CORTE

Continental Constitutional Court,⁴¹ since ideally this would decide only the paradigmatic cases, whose reasoning should be multiplied by national judges through the application of the internal conventionality control as the main guardians of the American Convention.⁴²

However, despite the fact that, for obvious reasons, the judgments of the Court are binding on the States that have been part of the trial that gave rise to them, the execution of the sentences requires the priority cooperation of the condemned country.⁴³ This explains the constant monitoring by the Court of the level of compliance, which is manifested mainly through its Monitoring Compliance with Judgement,⁴⁴ since the work of the Court is not complete until its rulings have been fully implemented.⁴⁵

INTERAMERICANA [NATIONAL RECEPTION OF THE INTERNATIONAL HUMAN RIGHTS LAW AND ADMISSION OF THE COMPETENCE OF THE INTER-AMERICAN COURT] 211, 211–12 (Sergio García Ramírez et. al. eds., 2009) (Mex.); Ferrer-Mac Gregor, *Case Gelman v. Uruguay*, *supra* note 14, at 671.

41. Binder, *supra* note 17, at 171; Ferrer Mac-Gregor, *The Diffuse Control of Compliance in a Constitutional Syste*, *supra* note 10, at 187; Dulitzky, *supra* note 10, at 64–65; Hitters, *Pronouncements of the Commission*, *supra* note 12, at 147; Bazán, *supra* note 26, at 25.

42. Nogueira Alcalá, *The Compliance Control*, *supra* note 18, at 269. Although with different intensity, see García Ramírez, *supra* note 10, at 131; Caballero Ochoa, *supra* note 12, at 133; Hitters, *An Advance in the Compliance Control*, *supra* note 19, at 705; Néstor Pedro Sagüés, *Control constructivo (positivo) de convencionalidad [The Positive Control of Conventionality]*, in DICCIONARIO DE DERECHO PROCESAL CONSTITUCIONAL Y CONVENCIONAL [DICTIONARY OF CONSTITUTIONAL PROCEDURE LAW AND CONVENTIONALITY] 219, 221 (Eduardo Ferrer Mac-Gregor et al. eds., 2d. 2014) (Mex.).

43. Caballero Juárez, *supra* note 12, at 209; Bárbara Ivanschitz Bourdeguer, *Un estudio sobre el cumplimiento y ejecución de las sentencias de la CIDH por el Estado de Chile [A Study on Compliance and Execution of the Judgments of the CIDH by the State of Chile]*, 11 ESTUDIOS CONSTITUCIONALES [E.C.] 275, 332 (2013) (Chile); Bazán, *supra* note 26, at 20; Becerra Ramírez & Miranda Camarena, *supra* note 12, at 17; Nogueira Alcalá, *The Challenges of Conventionality Control*, *supra* note 25, at 1167.

44. Karlos Castilla Juárez, *Control de convencionalidad interamericano: una mera aplicación del Derecho Internacional [Control of the Inter-American Conventionality: A Mere Application of the International Law]*, 33 REVISTA DE DERECHO DEL ESTADO [R.D.E.] 149, 172 (2014) (Colom.); *Case Gelman v. Uruguay*, *supra* note 14, at 641–46, 677; Juan Carlos Hitters, *El control de convencionalidad y el cumplimiento de las sentencias de la Corte Interamericana [The Conventionality Control and the Execution of the Judgments of the Inter-American Court]*, 10 ESTUDIOS CONSTITUCIONALES [E.C.] 535, 574 (2012) (Chile); Ibáñez Rivas, *supra* note 33, at 111; Manuel Núñez Poblete, *Sobre la doctrina del margen de apreciación nacional. La experiencia latinoamericana confrontada y el thelos constitucional de una técnica de adjudicación del Derecho Internacional de los Derechos Humanos [On the Doctrine of the Margin of National Appreciation. The Confronted Latin American Experience and the Constitutional Thelos of a Technique of Adjudication of the International Human Rights Law]*, UNAM 3, 49 (2012) (Mex.), <https://archivos.juridicas.unam.mx/www/bjv/libros/7/3160/6.pdf>; Alexandra Huneeus, *Compliance with International Court Judgments and Decisions*, OXFORD HANDBOOK OF INT'L ADJUDICATION 16–17 (Karen J. Alter et al. eds., 2013) [hereinafter *Huneeus, Compliance with International Court Judgments*]. See JO M. PASQUALUCCI, *THE PRACTICE AND PROCEDURE OF THE INTER-AMERICAN COURT OF HUMAN RIGHTS* 299–334 (Cambridge University Press ed., 2nd 2013).

45. Ferrer Mac-Gregor, *Case Gelman v. Uruguay*, *supra* note 14, at 619; Bazán, *supra* note 26, at 17.

However—and this is what motivated the present study—everything theoretically declared so far by the doctrine contrasts remarkably with the level of compliance that the judgments emanating from the Court have had, as is demonstrated by the data that appears in the Annex of this work.⁴⁶ All of which is, in our opinion, significant.⁴⁷ It appears to be evident that when it comes to the discourse regarding conventionality control, interjurisdictional dialogue, minimum standard, the *pro homine* principle, the *erga omnes* effect, *res interpretata*, an Inter-American *ius commune*, a continental constitutional tribunal or even a situation already consolidated, that the majority doctrine is starting, at least implicitly—or even presented as accomplished fact—from the basis of the existence of a majority compliance with the rulings of the key ruling body: the Inter-American Court of Human Rights.⁴⁸

Finally, it is necessary to distinguish between compliance with the decisions of international tribunals—which is the subject of this study—and the effectiveness⁴⁹ of International Law in general within a country—an aspect that is not discussed here—which can be due to multiple factors, even when there is a lot of "theoretical literature on case-specific effectiveness."⁵⁰ Thus, although "compliance is the linchpin to these tribunals' success,"⁵¹ it

46. See generally Bazán, *supra* note 26, at 18.

47. *Id.*

48. Yota Negishi, *The Pro Homine Principal's Role in Regulating the Relationship between Conventionality Control and Constitutionality Control*, 28 EUR. J. INT'L L., no. 2, 457, 457 (2017); Oddný Mjöll Arnardóttir, *Res Interpretata, Erga Omnes Effect and the Role of the Margin of Appreciation in Giving Domestic Effect to the Judgments of the European Court of Human Rights*, 28 EUR. J. INT'L L., no. 3, 819, 819 (2017).

49. Laurence R. Helfer, *The Effectiveness of International Adjudicators*, *The Oxford Handbook of International Adjudication*, in THE OXFORD HANDBOOK OF INTERNATIONAL ADJUDICATION 464, 466–70, 474 (Cesare Romano et al. eds., 2014); COURTNEY HILLEBRECHT, DOMESTIC POLITICS AND INTERNATIONAL HUMAN RIGHTS TRIBUNALS. THE PROBLEM OF COMPLIANCE, CAMBRIDGE UNIVERSITY PRESS, at 150 & 156 (2014) [hereinafter HILLEBRECHT, DOMESTIC POLITICS]; Huneeus, *Compliance with International Court Judgments*, *supra* note 44, at 25; Alexandra Huneeus, *Constitutional Lawyers and the Inter-American Court's Varied Authority*, 79 L. CONTEMP. PROBS. 179, 179 (2016) [hereinafter Huneeus, *Constitutional*]; Lea Shaver, *The Inter-American Human Rights System: An Effective Institution for Regional Rights Protection*, 9 WASH. U. GLOBAL STUD. L. REV. 639, 665 (2010); Gleider I. Hernández, *The Judicialization of International Law: Reflections on the Empirical Turn*, 25 EUR. J. INT'L L. 919, 922 (2014); Darren Hawkins & Wade Jacoby, *Partial Compliance: A Comparison of the European and Inter-American Courts of Human Rights*, 6 J. INT'L L. & INT'L REL. 1, 2 (2010).

50. See generally Courtney Hillebrecht, *The Domestic Mechanisms of Compliance with International Human Rights Law: Case Studies from the Inter-American Human Rights System*, 34 HUM. RTS. Q. 959 (2012) [hereinafter Hillebrecht, *Domestic Mechanisms*]; Hernández, *supra* note 49, at 930.

51. Hillebrecht, *Domestic Mechanisms*, *supra* note 50, at 960–72.

is only one more element in explaining effectiveness,⁵² to the point that it could eventually be high, even if a country has low levels of compliance.⁵³

III. BRIEF OVERVIEW OF STUDIES THAT ANALYZE COMPLIANCE WITH THE RULINGS OF THE INTER-AMERICAN COURT

There are a number of previous studies that address the problem of compliance with the Court judgments from various perspectives.⁵⁴ Many of them have been considered in order to compare their observations with the results of the present study.⁵⁵ This comparison was done after the conclusion of this study, in order to not be influenced by their conclusions.⁵⁶

With that said, some of the relevant studies were not or were only partially considered for various reasons.⁵⁷ First, we avoided works that presented the problem with a clear narrative, despite generally being articles of remarkable quality.⁵⁸

52. Huneeus, *Compliance with International Court Judgments*, *supra* note 44, at 181.

53. Helfer, *supra* note 49, at 467.

54. *See supra* notes 17–54.

55. *See supra* Parts I, II; *see infra* Part III.

56. *See supra* Parts I, II; *see infra* Part III.

57. *See infra* notes 58–67.

58. *See* Antonio A. Cançado Trindade, *Compliance with Judgments and Decisions - The Experience of the Inter-American Court of Human Rights: A Reassessment*, 13 REV. IBDH. 29 (2013) [hereinafter, Cançado Trindade, *Compliance*]; Eréndira Salgado Ledesma, *La probable inejecución de las sentencias de la Corte Interamericana de Derechos Humanos* [The Probable Unenforcement of the Inter-American Court of Human Rights Decisions], 26 REVISTA MEXICANA DE DERECHO CONSTITUCIONAL [REV. MEX. DER. CONST.] 221 (2012) (Mex.); BEATRIZ EUGENIA GALINDO CENTENO, SENTENCIAS DE LA CORTE INTERAMERICANA DE DERECHOS HUMANOS. SU EFICACIA EN DIVERSOS ÁMBITOS [JUDGMENTS OF THE INTER-AMERICAN COURT OF HUMAN RIGHTS. ITS EFFICIENCY IN DIVERSE AREAS], (Tribunal Electoral del Poder Judicial de la Federación, 1st. ed 2014); Vittorio Corasaniti, *Implementación de las sentencias y resoluciones de la Corte Interamericana de Derechos Humanos: un debate necesario* [Implementation of the Judgments and Resolutions of the Inter-American Court of Human Rights: A Necessary Debate], 49 REV. IIDH. 13–28 (2009) (Costa Rica); Tania Giovanna Vivas Barrera & Jaime Alfonso Cubides Cárdenas, *Diálogo judicial transnacional en la implementación de las sentencias de la Corte Interamericana* [Transnational Judicial Dialog on the Implementation of Decisions of the Inter-American Court], 8 ENTRAMADO, 184–204 (2012) (Colom.); Alejandro Anaya Muñoz, *Los regímenes internacionales de derechos humanos: la brecha entre compromiso y cumplimiento* [The International Regimes of Human Rights: the Breach Between Compromise and Fulfillment], 12 REVISTA DEL INSITUTO DE CIENCIAS JURIDICAS DE PUEBLA [R.I.C.J.P.] 159–81 (2017) (Mex.); Laura Araceli Aguzin, *La eficacia del Sistema Interamericano de Derechos Humanos y la continuidad de su construcción* [The Efficiency of the Inter-American System of Human Rights and the Continuation of its Construction], 82 ALEGATOS. 629–50 (2012) (Mex.); Viviana Krsticevic, *Reflexiones sobre la ejecución de sentencias de las decisiones del sistema interamericano de protección de derechos humanos* [Reflections on the Executions of

We eliminated some options due to their antiquity.⁵⁹ Some were not considered because they referred to compliance of the Court judgments only with respect to a particular country,⁶⁰ or alluding to several, but analyzing

Judgments of the Decisions by the Inter-American System for the Protection of Human Rights], in IMPLEMENTACIÓN DE LAS DECISIONES DEL SISTEMA INTERAMERICANO DE DERECHOS HUMANOS. JURISPRUDENCIA, NORMATIVA Y EXPERIENCIAS NACIONALES [IMPLEMENTATION OF THE DECISIONS BY THE INTER-AMERICAN SYSTEM OF HUMAN RIGHTS. JURISPRUDENCE, NORMATIVE AND NATIONAL EXPERIENCES], 15–112 (CEJIL 1st. ed. 2007); VIVIANA KRSTICEVIC, IMPLEMENTACIÓN DE LAS DECISIONES DEL SISTEMA INTERAMERICANO DE DERECHOS HUMANOS APORTES PARA LOS PROCESOS LEGISLATIVOS [IMPLEMENTATION OF THE DECISIONS OF THE INTER-AMERICAN SYSTEM OF HUMAN RIGHTS CONTRIBUTIONS FOR THE LEGISLATIVE PROCESS] CEJIL 2009); Víctor Abramovich, *From Massive Violations to Structural Patterns: New Approaches and Classic Tensions in the Inter-American Human Rights System*, 6 SUR. INT'L J. HUM. RTS 7–37(2009); Tom Antkowiak, *Remedial Approaches to Human Rights Violations: The Inter-American Court of Human Rights and Beyond*, 46 COLUM. J. TRANSNAT'L L. 351–419 (2008); James L. Cavallaro & Stephanie Erin Brewer, *Reevaluating Regional Human Rights Litigation in the Twenty-First Century: The Case of the Inter-American Court*, 102 AM. J. INT'L. L. 768–827 (2008); Gerald L. Neuman, *Import, Export, and Regional Consent in the Inter-American Court of Human Rights*, 19 EUR. J. INT'L. L. 101–123 (2008); Shaver, *supra* note 49, at 639–76; Alexandra Huneecus, *Courts Resisting Courts: Lessons from the InterAmerican Court's Struggle to Enforce Human Rights*, 44 CORNELL INT'L L.J. 493–533 (2011) [hereinafter Huneecus, *Courts Resisting Courts*].

59. See VICTOR MANUEL RODRIGUEZ RESCIA, LA EJECUCIÓN DE SENTENCIAS DE LA CORTE INTERAMERICANA DE DERECHOS HUMANOS [THE EXECUTION OF JUDGMENTS OF THE INTER-AMERICAN COURT OF HUMAN RIGHTS] (Dr. Hugo Alfonso Muñoz Quesada et al. ed., 1st. Ed. 1997); Helio Bicudo, *Cumplimiento de las sentencias de la Corte Interamericana de Derechos Humanos y de las recomendaciones de la Comisión Interamericana de Derechos Humanos* [Compliance of the Judgments of the Inter-American Court of Human Rights and the Recommendations of the Inter-American Commission of Human Rights], in 1 MEMORIA DEL SEMINARIO EL SISTEMA INTERAMERICANO DE PROTECCIÓN DE LOS DERECHOS HUMANOS EN EL UMBRAL DEL SIGLO XXI. CORTE INTERAMERICANA DE DERECHOS HUMANOS [MEMORY OF THE SEMINAR THE INTER-AMERICAN SYSTEM OF PROTECTION OF HUMAN RIGHTS ON THE THRESHOLD OF THE XXI CENTURY. INTER-AMERICAN COURT OF HUMAN RIGHTS], 229–36 (Antonio Augusto Cançado ed., 2003); María Carmelina Londoño Lázaro, *La Efectividad de los fallos de la Corte Interamericana de Derechos Humanos* [The Efficiency of the Decisions of the Inter-American Court of Human Rights], 19 DÍKAION 204–208 (2005) (Colom.).

60. See Susana Albanese, *La Corte Suprema y el alcance de las Recomendaciones de la Comisión Interamericana 1994–2014* [The Supreme Court and the Reach of the Recommendations of the Inter-American Commission 1994–2014], 5 PENSAR EN DERECHO [P.E.], 105–33 (2015) (Arg.) <http://www.derecho.uba.ar/publicaciones/pensar-en-derecho/revistas/5/revista-pensar-en-derecho-5.pdf>; Damián González Salzberg, *La implementación de las sentencias de la Corte Interamericana de Derechos Humanos en Argentina: Un análisis de los vaivenes jurisprudenciales de la Corte Suprema de Justicia de la Nación* [The Implementation of the Judgments of the Inter-American Court of Human Rights in Argentina: An Analysis of the Jurisprudential ups and downs of the Supreme Court of Justice in the Nation], 8 SUR REVISTA INTERNACIONAL DERECHOS HUMANOS [R.I.D.H] 117–35 (2011) (Braz.); Marcos José Miranda Burgos, *La ejecución de sentencias de la Corte Interaericana de Derechos Humanos en el ordenamiento jurídico interno* [The Execution of the Judgments of the Inter-American Court of Human Rights in the Internal Legal Order], 60 REVISTA INSTITUTO INTERAMERICANO DE DERECHOS HUMANOS [R.I.I.D.H] 129–56 (2014) (Costa Rica); Tábata Santelices & Mayra Feddersen, *Ejecución de sentencias Internacionales sobre derechos humanos en Chile* [Execution of International

them independently without considering the Inter-American System as a whole, even when making valuable proposals in this regard.⁶¹ For other studies, we found the sample to be more or less reduced,⁶² some contained quantitative data, but they contained too few or alluded to aspects not

Judgments on Human Rights in Chile], 1 ANUARIO DERECHO PÚBLICO UNIVERSIDAD DIEGO PORTALES, 92–113 (2010); Sergio Anzola, Beatriz Eugenia Sánchez & René Uruña, *Después del fallo: El cumplimiento de las decisiones del Sistema Interamericano de Derechos Humanos. Una propuesta de metodología en Derechos Humanos y Políticas Públicas* [Post Judgment: The Fulfillment of the Decisions of the Inter-American System of Human Rights. A proposal on Methodology in Human Rights and Public Politics], DERECHOS HUMANOS Y POLÍTICAS PÚBLICAS 447–517 (Laurence Burgogue-Larsen et. al., 2014); Marcia Nina Bernardes, *Inter-American Human Rights System as a Transnational Public Sphere: Legal and Political Aspects of the Implementation of International Decisions*, 8 SUR REVISTA INTERNACIONAL DE DERECHOS HUMANOS [S.R.D.H.] 131–51 (2011); Julieta Di Corleto, *El reconocimiento de las decisiones de la Comisión y la Corte Interamericanas en las sentencias de la Corte Suprema de Justicia de Argentina* [The Acknowledgment of the Decisions in the Commission and the Inter-American Court in the Judgments of the Supreme Court of Justice of Argentina], in IMPLEMENTACIÓN DE LAS DECISIONES DEL SISTEMA INTERAMERICANO DE DERECHOS HUMANOS. JURISPRUDENCIA, NORMATIVA Y EXPERIENCIAS NACIONALES [IMPLEMENTATION OF THE DECISIONS OF THE INTER-AMERICAN SYSTEM OF HUMAN RIGHTS. JURISPRUDENCE, NORMATIVE AND NATIONAL EXPERIENCES], 143–60 (Viviana Krsticevic ed. 2007); César Landa, *Implementación de las decisiones del sistema interamericano de derechos humanos en el ordenamiento constitucional peruano* [Implementation of the Decisions of the Inter-American System of Human Rights in the Peruvian Constitutional Order], in IMPLEMENTACIÓN DE LAS DECISIONES DEL SISTEMA INTERAMERICANO DE DERECHOS HUMANOS. JURISPRUDENCIA, NORMATIVA Y EXPERIENCIAS NACIONALES [IMPLEMENTATION OF THE DECISIONS OF THE INTER-AMERICAN SYSTEM OF HUMAN RIGHTS. JURISPRUDENCE, NORMATIVE AND NATIONAL EXPERIENCES], 113–26 (Viviana Krsticevic ed. 2007); Rodrigo Uprimny, *La fuerza vinculante de las decisiones de los organismos internacionales de derechos humanos en Colombia: un examen de la evolución de la jurisprudencia constitucional* [The Binding Force of the Decisions of the International Organisms of Human Rights in Colombia: An Examination of the Evolution of the Constitutional Jurisprudence], in IMPLEMENTACIÓN DE LAS DECISIONES DEL SISTEMA INTERAMERICANO DE DERECHOS HUMANOS. JURISPRUDENCIA, NORMATIVA Y EXPERIENCIAS NACIONALES [IMPLEMENTATION OF THE DECISIONS OF THE INTER-AMERICAN SYSTEM OF HUMAN RIGHTS. JURISPRUDENCE, NORMATIVE AND NATIONAL EXPERIENCES], 127–42 (Viviana Krsticevic ed. 2007); Ivanschitz Bourdeguer, *supra* note 43, at 275–332.

61. Grupo Latinoamericano de Estudios sobre Derecho Penal Internacional, *Sistema Interamericano de protección de los Derechos Humanos y Derecho Penal Internacional*, Bogotá, Konrad-Adenauer-Stiftung e. V. (2003); Corasaniti, *supra* note 58, at 21-27; Alexandra Huneus, *Rejecting the Inter-American Court: Judicialization, National Courts, and Regional Human Rights*, in Javier Couso, Alexandra Huneus, Rachel Sieder (Eds.), *CULTURES OF LEGALITY: JUDICIALIZATION AND POLITICAL ACTIVISM IN LATINAMERICA* 112, 138 (Cambridge University Press., 2010).

62. Basch, Fernando, et al., *La efectividad del Sistema Interamericano de protección de derechos humanos: un enfoque cuantitativo sobre su funcionamiento y sobre el cumplimiento de sus decisiones* [The Effectiveness of the Inter-American System for the Protection of Human Rights: A Quantitative Approach to its Operation and Compliance with its Decisions], 7 SUR REVISTA INTERNACIONAL DE DERECHOS HUMANOS [S.R.I.D.H.] 9–35 (2010) (Braz.); Eduardo Bertoni, *El Sistema Interamericano de Derechos Humanos -SIDH- y la (real?) falta de apoyo regional* [The Inter-American System of Human Rights -ISHR- and the (Real?) Lack of Regional Support], 20 IUS DICTIO REVISTA DE DERECHO [I.D.R.D.] 87–104 (2017) (Ecuador).

considered in the present study.⁶³ We eliminated some for being abundant: they referred to a particular problem external to our interest.⁶⁴ And finally, some were avoided because they referred almost completely to other quantitative works reviewed.⁶⁵ It should be noted that on more than one occasion, the same study presents two or more of these situations.⁶⁶ However, this does not mean that they do not contain interesting and useful data, some of which have been considered in this article.⁶⁷

Now, an aspect emphasized by many of the works analyzed is that despite being the “operative core”⁶⁸ and “the ultimate monitoring organ”⁶⁹ of the Inter-American System, the Court has no coercive capacity to impose its rulings, to the extent that it has been said that the Inter-American System “has no teeth.”⁷⁰

That is, the international tribunals “ability to enforce the rulings is, in reality, quite limited,”⁷¹ “compliance with the tribunals is an inherently domestic affair.”⁷² This is why it depends fundamentally on the State,⁷³ which is an aspect that is not analyzed in the present study.⁷⁴ That is why it has been bluntly stated that governments only comply with these resolutions when it coincides with their internal agendas or when it helps them increase

63. See Cavallaro & Brewer, *supra* note 58, at 782, 798–800, 809; Abramovich, *supra* note 58, at 27; Huneus, *Courts Resisting Courts*, *supra* note 58, at 503, 509.

64. See generally Shelom Velasco, *The Inter-American Court of Human Rights: Emerging Patterns in Judgment Compliance* (May 10, 2016) (unpublished S.J.D. dissertation, Indiana University Maurer School of Law) (on file with University Maurer School of Law).

65. Tania Giovanna Vivas Barrera, *Panorama de cumplimiento de condenas dictadas por la Corte Interamericana de Derechos Humanos [Overview of Compliance with Sentences Issued by the Inter-American Court of Human Rights]*, 22 REVISTA PRINCIPIA IURIS [R.P.I.] 165 (2014) (Colom.); Bertoni, *supra* note 62, at 91.

66. See generally Vivas, *supra* note 65.

67. *Id.*

68. Anaya, *supra* note 58, at 161.

69. Demián González-Salzberg, *The Effectiveness of the Inter-American Human Rights System: A Study of the American States' Compliance with the Judgments of the Inter-American Court of Human Rights*, 15 REVISTA COLOMBIANA DE DERECHO INTERNACIONAL [R.C.D.I.] 115, 120 (2010).

70. Anaya, *supra* note 58, at 159; Galindo, *supra* note 58, at 24, 31; see generally Gonzalez-Salzberg, *supra* note 69.

71. HILLEBRECHT, DOMESTIC POLITICS, *supra* note 49, at 37. See also Galindo, *supra* note 58, at 31; Helfer, *supra* note 49, at 467; HERNÁNDEZ, *supra* note 10, at 448–49.

72. HILLEBRECHT, DOMESTIC POLITICS, *supra* note 49, at 39, 154; Huneus, *Compliance with International Court Judgments*, *supra* note 44, at 19.

73. HILLEBRECHT, DOMESTIC POLITICS, *supra* note 49, at 4, 8, 11, 15, 17, 19, 21, 22, 23, 33–34, 39, 52, 61, 116, 135, 136, 139, 155–156; Hillebrecht, *Domestic Mechanisms*, *supra* note 50, at 2, 8, 30–31; PASQUALUCCI, *supra* note 44, at 303.

74. See Part III. See also Annex I.

their legitimacy before their constituents.⁷⁵ This explains that it is ultimately a political issue,⁷⁶ even an issue of “political will.”⁷⁷ Hence, although judicial power is fundamental in this process,⁷⁸ it is the Executive Powers that depend on compliance more.⁷⁹ This is why “à la carte compliance”⁸⁰ is often discussed in this regard, and although “Latin American countries are ‘exemplary ratifiers’”⁸¹ of human rights treaties, there is a wide gap between the level of commitment and compliance,⁸² a situation that has “persisted up to date.”⁸³

However, others believe that despite the above, there is a “symbolic influence” of their rulings, which is why “the sentences of the Inter-American Court have a strong voice but a weak echo.”⁸⁴ For some, the information provided by the Court does not allow a clear idea of the actual level of compliance with its rulings⁸⁵ (although for other authors, it does),⁸⁶ as compliance is really a matter of spectrum rather than an all-or-nothing situation.⁸⁷ Hence, the assessment on this issue is relatively optimistic, particularly if the level of partial compliance with the Court's rulings is

75. Hillebrecht, *Domestic Mechanisms*, *supra* note 50, at 8, 30–31; Huneeus, *Compliance with International Court Judgments*, *supra* note 44, at 22–23.

76. Huneeus, *Compliance with International Court Judgments*, *supra* note 44, at 28; Huneeus, *Constitutional*, *supra* note 49, at 180; Hernández, *supra* note 49, at 921–22; Hillebrecht, *Domestic Mechanisms*, *supra* note 50, at 14, 29–31.

77. PASQUALUCCI, *supra* note 44, at 331.

78. HILLEBRECHT, DOMESTIC POLITICS, *supra* note 49, at 22–23, 152.

79. Hillebrecht, *Domestic Mechanisms*, *supra* note 50, at 8–9; HILLEBRECHT, DOMESTIC POLITICS, *supra* note 49, at 21, 22, 58, 60, 61, 64, 135; Huneeus, *Compliance with International Court Judgments*, *supra* note 44, at 1, 21–22; Huneeus, *Constitutional*, *supra* note 49, at 184.

80. HILLEBRECHT, DOMESTIC POLITICS, *supra* note 49, at 13, 42, 64, 65, 135, 136, 154, 156; Courtney Hillebrecht, *CODEBOOK. Compliance with Human Rights Tribunals (CHRT) Dataset* (2016) [hereinafter Hillebrecht, *CODEBOOK*].

81. Anaya, *supra* note 58, at 167. See similar ideas in HILLEBRECHT, DOMESTIC POLITICS, *supra* note 49, at 8.

82. Aguzin, *supra* note 58, at 635. See also Anaya, *supra* note 58, at 178.

83. Caçado Trindade, *Compliance*, *supra* note 58, at 29.

84. Galindo, *supra* note 58, at 31, 47.

85. González-Salzberg, *The Effectiveness of the Inter-American Human Rights System*, *supra* note 69, at 122–23; Demián González-Salzberg, *Complying (Partially) with the Compulsory Judgments of the Inter-American Court of Human Rights*, in *LAW AND POLICY IN LATIN AMERICA* 39, 41 (Palgrave Macmillan ed., 2016).

86. Hillebrecht, *CODEBOOK*, *supra* note 80, at 3.

87. Hawkins & Jacoby, *supra* note 49, at 40; Salzberg, *The Effectiveness of the Inter-American Human Rights System*, *supra* note 69, at 121; Hillebrecht, *CODEBOOK*, *supra* note 80, at 2.

observed.⁸⁸ Indeed, since “the rulings of the Court are far from being indifferent to the Member States,”⁸⁹ this would indicate high levels of compliance, since said countries would behave differently in the absence of such judgements,⁹⁰ many of these authors even perceive an improvement in recent years.⁹¹

In order to demonstrate this, they distinguish between the various obligations that the Court requires in its judgements, quantitatively and separately analyzing the very disparate compliance of both, which in part explains the optimistic view of the level of compliance with the Inter-American Court.⁹²

Thus, in this scenario, they conclude that the measures with the highest levels of compliance are those that involve the granting of pecuniary or non-pecuniary compensation to victims, as well as those involving recognition of international responsibility by the State through a public apology, or the publication of fragments of the ruling in a newspaper of high circulation.⁹³ On the contrary, the measures that stand out for their low levels of compliance are those that investigate and punish those responsible for the violations and attempt to modify the internal order according to the rulings’ requirements.⁹⁴

88. Hillebrecht, *Domestic Mechanisms*, *supra* note 50, at 5; HILLEBRECHT, DOMESTIC POLITICS, *supra* note 49, at 11, 28, 42, 43, 65.

89. González-Salzberg, *supra* note 69, at 129.

90. Hawkins & Jacoby, *supra* note 49, at 39–40; González-Salzberg, *The Effectiveness of the Inter-American Human Rights System*, *supra* note 69, at 132; González-Salzberg, *Complying (Partially)*, *supra* note 85, at 47; PASQUALUCCI, *supra* note 44, at 305.

91. David C. Baluarte, *Strategizing For Compliance: The Evolution of a Compliance Phase of Inter-American Court Litigation and the Strategic Imperative For Victims’ Representatives*, 27 AM. U. INT. L. REV. 263, 320 (2012); González-Salzberg, *Effectiveness of the Inter-American Human Rights System*, *supra* note 69, at 129; González-Salzberg, *Do States Comply with the Compulsory Judgments of the Inter-American Court of Human Rights? An Empirical Study of the Compliance with 330 Measures of Reparation*, 13 REVISTA DO INSTITUTO BRASILEIRO DE DIREITOS HUMANOS [R.I.B.D.H.] 1, 22 (2014) (Braz.) [hereinafter González-Salzberg, *Do States Comply*].

92. Basch, *supra* note 62, at 12; González-Salzberg, *The Effectiveness of the Inter-American Human Rights System*, *supra* note 69, at 122–23; González-Salzberg, *Do States Comply*, *supra* note 91, at 8; González-Salzberg, *Complying (Partially)*, *supra* note 85, at 40–41, 51; Baluarte, *supra* note 91, at 288–89; Hawkins & Jacoby, *supra* note 49, at 49–50; Velasco, *supra* note 64, at 55–60.

93. Basch, *supra* note 62, at 14–15.

94. There is considerable consensus among researchers. Cecilia M. Bailliet, *Measuring Compliance with the Inter-American Court of Human Rights: The Ongoing Challenge of Judicial Independence in Latin America*, 31 NORDIC J. HUM. RTS. 477, 483 (2013). See PASQUALUCCI, *supra* note 44, at 325–26; HILLEBRECHT, DOMESTIC POLITICS, *supra* note 49, at 25, 65; Huneus, *Constitutional Lawyers and the Inter-American Court’s Varied Authority*, *supra* note 49, at 183–84; Basch, *supra* note 62, at 18; González-Salzberg, *The Effectiveness of the Inter-American Human Rights System*, *supra* note 69, at 128; González-Salzberg, *Do States Comply*, *supra* note 91, at 19; González-Salzberg, *Complying*

That is why certain authors believe partial compliance of several cases by the Court to be a positive situation; thus explaining why, although partial compliance is so common in the Inter-American System, this state of affairs has been able to be maintained for many years.⁹⁵ Thus, in this view, “justice delayed is not necessarily justice denied, but it does seem fair to call it justice partial.”⁹⁶ Therefore, they can assimilate partial compliance to a number of questionable or even controversial actions performed by States in connection with their obligations with the Court.⁹⁷ That is why they consider partial compliance to be the preferred situation for many within the Inter-American system, to the point where it has been asked if there are no undetected incentives to encourage this procedure.⁹⁸ This could explain what is considered a diminishing performance in the effect these sentences have in States’ level of compliance with their obligations, the continuous Monitoring Compliance of Judgements dictated by the Court with respect to the State.⁹⁹

On the other hand, other authors do not share this point of view, considering that the very existence of partial compliance could lead to a false impression of compliance with the Court’s rulings.¹⁰⁰

However, the strategy of quantitatively distinguishing between the various obligations required by the Court in its rulings has not been followed here, because of the significant difference that exists between them.¹⁰¹ Since it is much more difficult to investigate and punish those responsible for human rights violations than to publish excerpts from the Court’s ruling in a local newspaper, taking statistics of the level of compliance in an equivalent manner can be misleading.¹⁰²

Finally, it must be highlighted that an element that differentiates the present study from those consulted is that our Annex presents the complete and organized information regarding the Court’s cases, along with all of the resolutions that affect them.¹⁰³ Also, the opinions issued in the “Decisions and Judgments” have been incorporated, including the “Provisional Measures”, “Monitoring Compliance with Judgment” and “Reimbursement

(Partially), *supra* note 85, at 47–48, 51; Hawkins & Jacoby, *supra* note 49, at 59; Baluarte, *supra* note 91, at 294–95; Cançado Trindade, *Compliance with Judgments*, *supra* note 58, at 31; Anaya, *supra* note 58, at 178; Aguzin, *supra* note 58, at 638.

95. Hawkins & Jacoby, *supra* note 49, at 39.

96. *Id.* at 80.

97. *Id.* at 79–82.

98. *Id.* at 83–85.

99. *Id.* at 60–61, Figures 4 & 5.

100. Cançado Trindade, *Compliance*, *supra* note 58, at 33.

101. *See infra* Annex I.

102. Basch et al., *supra* note 62, at 29.

103. *See infra* Annex I.

to the Victims Legal Assistance Fund.”¹⁰⁴ In order to achieve a global overview of the different resolutions issued by the Court for each particular case, presenting the data as a unit allows a clearer idea of its evolution and current status, a situation that is otherwise difficult to perceive, as these opinions are solely presented in separate lists on the Court's website.¹⁰⁵

IV. THE METHODOLOGY EMPLOYED IN THE PRESENT STUDY

In order to accomplish the objective of this study –which is to analyze the level of compliance with the Inter-American Court rulings–, first a registry of the final sentences of the contentious cases dictated by the Court was created.¹⁰⁶ According to the information indicated on the website (until December 31, 2018),¹⁰⁷ the Court has issued a total of 373 sentences, each listed within the “Series C” of the Court.¹⁰⁸ However, this does not mean that the same number of cases have been resolved, given that there are several that have had more than one judgment.¹⁰⁹ Thus, in addition to the Judgements on Merits, there are Preliminary Objections, Reparations and Costs, Compliance with Judgment and Interpretation of Judgments, which we will call “Complementary Judgments” (Hereinafter Com.J.) that amount to 125 in total.¹¹⁰ Thus, the actual number of cases is 248.¹¹¹ However, of these 248 sentences, there are also 8 cases that have been Dismissed or Denied,¹¹²

104. *See generally* Cançado Trindade, *Compliance*, *supra* note 58.

105. *Decisions and Judgments*, INTER-AMERICAN COURT OF HUMAN RIGHTS, http://www.corteidh.or.cr/cf/Jurisprudencia2/busqueda_casos_contenciosos.cfm?lang=es (last visited Feb. 22, 2020)

106. *Id.*

107. INTER AMERICAN COURT OF HUMAN RIGHTS, http://www.corteidh.or.cr/cf/Jurisprudencia2/busqueda_casos_contenciosos.cfm?lang=en (last visited Jan. 26, 2020).

108. *Id.*

109. *Id.*

110. *See infra* Annex I.

111. *Id.*

112. Cases that were not considered in the present study were the following: *Maqueda v. Argentina*, Preliminary Objections, Order, Inter-Am. Ct.H.R. (ser. C), No. 18, at 7 (Jan. 17, 1995) (dismissing case); *Alfonso Martín del Campo Dodd v. Mexico*, Preliminary Objections, Judgment, Inter-Am. Ct. H.R. (ser. C), No. 113 ¶ 79–85 (Sept. 3, 2004); *Brewer Carías v. Venezuela*, Preliminary Objections, Judgments, Inter-Am. Ct. H. R. (ser. C), No. 278, at 47 (May 26, 2014); *Castillo González et al. v. Venezuela*, Merits, Judgment, Inter-Am. Ct. H. R. (ser. C), No. 256, at 47 (Nov. 27, 2012); *Cayara v. Peru*, Preliminary Objections, Judgment, Inter-Am. Ct. H. R. (ser. C), No. 14, at 18 (Feb. 3, 1993); *Fairén Garbí and Solís Corrales v. Honduras*, Merits, Judgment, Inter-Am. Ct. H. R. (ser. C), No. 6, at 31 (Mar. 15, 1989); *Grande v. Argentina*, Preliminary Objections and Merits, Judgment, Inter-Am. Ct. H. R. (ser. C), No. 231, at 23 (Aug. 31, 2011); *Nogueira de Carvalho et al. v. Brazil*, Preliminary Objections and Merits, Judgment, Inter-Am. Ct. H. R. (ser. C), No. 161, at 35 (Nov. 28, 2006) (denying these last seven cases).

which is why they have been excluded from the present study.¹¹³ Therefore, there are a total of 240 cases that have been analyzed in the present study.¹¹⁴

These 240 cases were put into alphabetical order, chronologically adding any Com.J. that may have existed before the Judgements on Merits, whose year has been recorded as that of said case.¹¹⁵ It should be noted that recently, the Court has unified in a single resolution judgements that were previously issued separately,¹¹⁶ with the sole exception of interpretative rulings, since they can only be requested after the Judgement on Merits.¹¹⁷ All of this information is included in the Annex of this work.¹¹⁸

In addition to the Judgements on Merits and the eventual Com.J. Provisional Measures (hereinafter P.M.) and/or issued Monitoring Compliance with Judgment (from now on M.C.) are included in the Annex, indicating their respective years, since there may be several in each case, and with respect to the P.M., whether they are prior or subsequent to the Judgements on Merits.¹¹⁹ These P.M. or M.C. were considered independently of their acceptance or dismissal by the Court, since it is assumed that if they had been requested, it was because the conduct of the State was not optimal.¹²⁰

The rulings contained in the sections “Victim's Legal Assistance Fund,”¹²¹ “Other matters”¹²² and “Summonses - Decisions and Judgments”¹²³

113. *See infra* Annex I.

114. *Id.*

115. Although in some cases there has been a subsequent *Reparations and Costs* judgment in which the specific obligations to be fulfilled by the condemned State are established, it is considered that the central resolution is the *Judgment on Merits*, since it contains the illicit events that justify them. *See Id.*

116. Baluarte, *supra* note 91, at 271.

117. PASQUALUCCI, *supra* note 44, at 179.

118. *See infra* Annex I.

119. *Provisional Measures and Monitoring Compliance*, INTER-AMERICAN COURT OF HUMAN RIGHTS, <http://www.corteidh.or.cr/cf/Jurisprudencia2/> (last visited Jan. 22, 2020).

120. *Id.*

121. *Victim's Legal Assistance Fund*, INTER-AMERICAN COURT OF HUMAN RIGHTS, http://www.corteidh.or.cr/cf/Jurisprudencia2/busqueda_fondo_asistencia.cfm?lang=en (last visited Jan. 22, 2020).

122. *Other Matters*, INTER-AMERICAN COURT OF HUMAN RIGHTS, http://www.corteidh.or.cr/cf/Jurisprudencia2/busqueda_otros_asuntos.cfm?lang=en (last visited Jan. 22, 2020).

123. *Summonses - Decisions and Judgments*, INTER-AMERICAN COURT OF HUMAN RIGHTS, http://www.corteidh.or.cr/cf/Jurisprudencia2/busqueda_convocatorias.cfm?lang=en (last visited Jan. 22, 2020).

were also revised.¹²⁴ However, they were not considered in this study, in light of being additional or traditional rulings.¹²⁵ Finally, we accessed the Annual Report 2015 Inter-American Court of Human Rights,¹²⁶ the Systematization of the resolutions of provisional measurements issued by the I/A Court¹²⁷ (only in Spanish), the Annual Report of 2016,¹²⁸ the Annual Report of 2017¹²⁹ and the Annual Report of 2018.¹³⁰

It should be noted that when indicating the year of the P.M. or M.C., in some cases an asterisk was added.¹³¹ One asterisk (*) indicates a ruling issued for more than one case, although referring to the same country.¹³² This is why, despite being a single ruling, they were quantified according to number of cases to which they allude, as this has affected all of them, and had disparate results in both.¹³³ Two asterisks (**) refer specifically to the M.C. *Joint Monitoring Compliance of 11 cases v. Guatemala*, dated August 21, 2014, which refers to the same number of sentences issued against this country, which are still largely unfulfilled.¹³⁴ Three asterisks (***) refer in

124. *Victim's Legal Assistance Fund*, *supra* note 121; *Other Matters*, *supra* note 122; *Summonses - Decisions and Judgments*, *supra* note 123.

125. *Victim's Legal Assistance Fund*, *supra* note 121; *Other Matters*, *supra* note 122; *Summonses - Decisions and Judgments*, *supra* note 123.

126. *See generally* Rep. Inter.-Am. Ct. H.R. 2015, http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_2015.pdf.

127. *See generally* Secretaria de la Corte Interamericana [Secretary of the Inter-American Court], *Sistematización de las Resoluciones sobre medidas provisionales emitidas por la Corte Interamericana de Derechos Humanos* [Systematization of Resolutions on Provisional Measures issued by the Inter-American Court of Human Rights], INTER-AM. CT. H.R., <http://www.corteidh.or.cr/sitios/libros/todos/docs/Sistematizacion.pdf>.

128. *See generally* Rep. Inter.-Am. Ct. H.R. 2016, http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_2016.pdf.

129. *See generally* Rep. Inter.-Am. Ct. H.R. 2017, http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_2017.pdf.

130. *See generally* Rep. Inter.-Am. Ct. H.R. 2018, <http://www.corteidh.or.cr/tablas/informe2018/ingles.pdf>.

131. *Id.*

132. *Id.*

133. *Id.*

134. *Blake v. Guatemala*, Merits, Judgement, Inter-Am. Ct. H.R. (ser. C) No. 36, (Jan. 24, 1998); *Street Children (Villagrán-Morales et al.) v. Guatemala*, Merits, Judgement, Inter-Am. Ct. H.R. (ser. C) No. 63, (Nov. 19, 1999); *Bámaca Velásquez v. Guatemala*, Reparations, and Costs, Judgement, Inter-Am. Ct. H.R. (ser. C) No. 91, (Feb. 22, 2002); *Myrna Mack Chang v. Guatemala*, Merits, Reparations, and Costs, Judgement, Inter-Am. Ct. H.R. (ser. C) No. 101, (Nov. 25, 2003); *Maritza Urrutia v. Guatemala*, Merits, Reparations, and Costs, Judgement, Inter-Am. Ct. H.R. (ser. C) No. 103, (Nov. 27, 2003); *Plan de Sánchez Massacre v. Guatemala*, Merits, Judgement, Inter-Am. Ct. H.R. (ser. C) No. 105, (April 29, 2004); *Molina Theissen v. Guatemala*, Reparations, and Costs, Judgement, Inter-Am. Ct. H.R.

particular to the M.C. 12 *Guatemalan's Cases v. Guatemala*, dated November 24, 2015,¹³⁵ of a similar nature as the previous one.¹³⁶

Finally, the current status of each case is indicated according to the information provided by the link “Cases in the Supervision Stage” and any relevant M.C. or P.M., although with respect to the latter, only if they occurred subsequently to the Judgements on Merits.

Therefore, the current state of the cases can yield 4 results: Full Compliance, Partial Compliance, Unfulfilled and Pending.¹³⁷

However, even though it has been indicated that the notion of compliance is somewhat vague and that there are several definitions of it,¹³⁸ the fundamental idea for this study is that it generates a change in the behavior of the State, which is why “Judgment compliance occurs when a state or other actor subject to the court carries out the actions required by a ruling of the court, or refrains from carrying out actions prohibited by said ruling.¹³⁹ *Sensu stricto*, it does not include actions taken by actors not subject to the ruling, nor does it include actions taken in response to the ruling but not required by the ruling.”¹⁴⁰

On the other hand, to distinguish between these four possibilities (Full Compliance, Partial, Unfulfilled and Pending), we proceeded to separate between the different obligations that the Court requires of the States according to their nature.¹⁴¹ Consequently, these obligations were grouped as follows: a) Payment of compensation in general; b) Obligation to investigate and eventually punish those responsible for the violations found, including the search for possible remains of the victims; c) Realization of

(ser. C) No. 108, (July 3, 2004); *Carpio Nicolle et al. v. Guatemala*, Merits, Reparations, and Costs, Judgement, Inter-Am. Ct. H.R. (ser. C) No. 117, (Nov. 22, 2004); *Tiu Tojin v. Guatemala*, Merits, Reparations, and Costs, Judgement, Inter-Am. Ct. H.R. (ser. C) No. 190, (Nov. 26, 2008); “Las Dos Erres” Massacre v. Guatemala, Objection, Merits, Reparations, and Costs, Judgement, Inter-Am. Ct. H.R. (ser. C) No. 211, (Nov. 24, 2009); *Chitay Nech et al. v. Guatemala*, Objection, Merits, Reparations, and Costs, Judgement, Inter-Am. Ct. H.R. (ser. C) No. 212, (May 25, 2010).

135. *Id.*; “White Van” (*Paniagua-Morales et al.*) v. Guatemala, Merits, Judgement, Inter-Am. Ct. H.R. (ser. C) No. 37, (Mar. 8, 1998).

136. *Id.*

137. *See infra* Annex I.

138. Huneus, *Compliance with International Court Judgments and Decisions*, *supra* note 44, at 2.

139. *Id.* at 6.

140. *Id.* at 7. The concept of compliance is relational. It refers to the correspondence of two things: the rulings’ demands, and the behavior of party’s subject to the ruling. Measuring judgment compliance requires at least three separate steps: an interpretation of what behavior the ruling demands and of whom; an assessment of the subject parties’ behavior; and a comparison of the two. Each step presents measurement challenges. *Id.* “[I]f we define compliance as behavior *caused* by a judgment.” *Id.* at 10.

141. *See* Annex I.

the legal modifications ordered by the ruling; d) Carrying out various measures of redress (public act of recognition of international responsibility, publication of extracts from the ruling in a local newspaper, construction of monuments, changing the names of public places, etc.); e) Other measures (medical and/or psychological care, scholarships, etc.); and f) Payment of costs and other expenses.¹⁴²

Obviously, the fulfillment of these obligations faces very different levels of difficulty.¹⁴³ For example, it is a much more complex process to make real legal changes than it is to publish the extract of a judgment.¹⁴⁴ This explains why simple global quantification has not proceeded without distinguishing them from each other, as this could lead to confusion.¹⁴⁵ Hence, obligations a), b) and c) have been considered the most fundamental, and it is surrounding their degree of compliance that the indicated classification was carried out.¹⁴⁶

The cases labeled Full Compliance are those in which the Court itself has indicated, through an M.C., that the State has fulfilled all obligations imposed in the Judgements on Merits, ordering the case to be filed and appearing almost always in the section “Cases Filed by Compliance.”¹⁴⁷

The cases labeled Partial Compliance are those in which the State has only partially fulfilled its obligations, for example, when the indemnities have been completely or mostly paid, even if the corresponding investigations have not been initiated or only in a limited way and/or the legal modifications indicated by the Court have not been introduced.¹⁴⁸ The payment of compensations is the most common provision completed by the States,¹⁴⁹ although some have wondered if in doing so, the State is really

142. See generally PASQUALUCCI, *supra* note 44, at 188–250, 307–30; Hillebrecht, *Domestic Mechanisms of Compliance with International Human Rights Law*, *supra* note 50, at 4; HILLEBRECHT, *DOMESTIC POLITICS*, *supra* note 49, at 12–13; Hillebrecht, *CODEBOOK. Compliance with Human Rights Tribunals (CHRT) Dataset*, *supra* note 80, at 7, http://interamericanhumanrights.org/wp-content/uploads/2015/12/CHRT_Codebook.pdf (making other distinctions).

143. PASQUALUCCI, *supra* note 44, at xix.

144. *Id.* at 188–250, 307–30.

145. *Id.* at 330.

146. *Id.* at 325–26; CHRISTINE EVANS, *THE RIGHT TO REPARATION IN INTERNATIONAL LAW FOR VICTIMS OF ARMED CONFLICT 10* (Cambridge University Press 1st. ed. 2012).

147. *Cases in the Supervisory Stage Filed for Compliance*, CORTEIDH.OR.CR, http://www.corteidh.or.cr/cf/jurisprudencia2/casos_en_etapa_de_supervision_archivados_cumplimiento.cfm?lang=es (last visited Jan. 26, 2020).

148. See PASQUALUCCI, *supra* note 44, at 299–334; see also Hawkins & Jacoby, *supra* note 49, at 49.

149. PASQUALUCCI, *supra* note 44, at 309–10; Bailliet, *supra* note 94 at 488–89; Huneeus, *Constitutional*, *supra* note 49, at 183.

complying with the ruling.¹⁵⁰ Despite this, completed or mostly completed compensation payments are considered here as partial fulfillment.¹⁵¹

Unfulfilled decisions are those in which the above has not occurred, or the level of compliance is minimal (for example, the ruling has only been published in a local newspaper or a public act of redress has been made, but no compensation has been paid to the victims, nor have the alleged perpetrators been punished or the legal modifications been made).¹⁵² The provisions of the *Annual Report 2015* (67–70 and 74–75), the *Annual Report 2016* (94–98), the *Annual Report 2017* (pp. 90–100) and the *Annual Report 2018* (pp. 80–90), have also been considered.¹⁵³ Of these cases, the most serious situations (those indicated by article 65 of the American Convention) are notified to the General Assembly of the OAS, are distinguished with four asterisks (****), and are listed at the end of the “Cases in the Supervision Stage” section.¹⁵⁴ The majority of these cases affect Venezuela.¹⁵⁵

150. PASQUALUCCI, *supra* note 44, at 309; HILLEBRECHT, *DOMESTIC POLITICS*, *supra* note 49, at 39, 49–50; Huneecus, *Compliance with International Court Judgments*, *supra* note 44, at 8; Huneecus, *Constitutional*, *supra* note 49, at 183.

151. González-Salzberg, *Do States Comply*, *supra* note 91, at 9. With respect to the compensations, a similar approach has been used by others. *Id.*; González-Salzberg, *Complying (Partially)*, *supra* note 85, at 41.

152. González-Salzberg, *Do States Comply*, *supra* note 91, at 9; González-Salzberg, *Complying (Partially)*, *supra* note 85, at 40–41.

153. See Rep. Inter-Am. Ct. H.R. 2015 (2015), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_2015.pdf; Rep. Inter-Am. Ct. H.R. 2016 (2016), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_2016.pdf; Rep. Inter-Am. Ct. H.R. 2017 (2017), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_2017.pdf; Rep. Inter-Am. Ct. H.R. 2018 (2018), <http://www.corteidh.or.cr/tablas/informe2018/ingles.pdf>.

154. Apitz Barbera et al. (“First Court of Administrative Disputes”) v. Venezuela, Preliminary Objection, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 182 (Aug. 5, 2008); Barreto Leiva v. Venezuela, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 206 (Nov. 17, 2009); Blanco Romero et al v. Venezuela, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 138 (Nov. 28, 2005); Caesar v. Trinidad and Tobago, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 123 (Mar. 11, 2005); El Amparo v. Venezuela, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 19 (Jan. 18, 1995); Hilaire, Constantine and Benjamin et al v. Trinidad and Tobago, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 94 (June. 21, 2002); Montero Aranguren et al v. Venezuela, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 150 (July. 5, 2006); Perozo et al v. Venezuela, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 195 (Jan. 28, 2009); Reveron Trujillo v. Venezuela, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 197 (June. 30, 2009); Rios et al v. Venezuela, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 194 (Jan. 28, 2009); Uson Ramirez v. Venezuela, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 207 (Nov. 20, 2009); Yamata v. Nicaragua, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 127 (June. 23, 2005); Yvon Neptune v. Haiti, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 180 (May 6, 2008).

155. *Id.*

Finally, cases considered to be *Pending* are those proceedings that are too recent to assess, which, moreover, have neither M.C. nor P.M. subsequent to the Judgements on Merits (although the latter may have been issued prior).¹⁵⁶ Of these cases, the only sure fact is that they do not have Full Compliance and, therefore, may be considered Unfulfilled or having Partial Compliance.¹⁵⁷

It is worth bearing in mind that regarding Pending cases, there are other data that may provide information about their state of progress, such as videos of audiences or press releases.¹⁵⁸ However, we did not consider this type of information unless it had been officially recorded in a ruling of the Court itself.¹⁵⁹ It is important to remember that this study only covers cases until the end of 2018, and that it does not analyze each country's reasoning that may have explained the level of compliance with the rulings issued by the Court.¹⁶⁰

It should also be noted that since 2013, some judgements have referred to the return of various expenses incurred by the claimants in the cases in which they participated.¹⁶¹ These expenses, financed by the Court, were authorized by previous resolutions issued by the President of the Court, which accepted the request of said requestors to access the Victim's Legal Assistance Fund.¹⁶² The Reimbursement to the Victims Legal Assistance Fund (hereinafter, R.F.) has been present in 39 cases to date and is issued both in cases that are officially considered to be in Full Compliance, as well as in others that are not.¹⁶³ However, although they will be mentioned at some point, the R.F. were not considered in this study because they consist of minimal monetary amounts, which in our opinion are insufficient in

156. Inter-Am. Ct. H.R., *What, How, When, Where and Why of the Inter-American Court of Human Rights: Frequently Asked Questions*, 1 INTER-AM. CT. H.R. 12 (2019), http://www.corteidh.or.cr/sitios/libros/todos/docs/ABCCorteIDH_2019_eng.pdf.

157. *Id.* at 13.

158. MULTIMEDIA GALERY OF THE INTER-AM. CT. HUM. RTS., <http://www.corteidh.or.cr/galeria-multimedia.cfm> (last visited Jan. 29, 2020); *Press Release*, INTER-AM. CT. HUM. RTS., https://www.oas.org/en/iachr/media_center/PReleases/2018/press_releases_2018.asp (last visited Jan. 29, 2020).

159. *See infra* Annex I.

160. *See supra* text accompanying notes 153, 154.

161. González-Salzberg, *Complying (Partially)*, *supra* note 85, at 42–46.

162. *See infra* Annex I. *See also, e.g.*, Barrios Family v. Venezuela, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 237, ¶ 379–83 (Nov. 24, 2011), http://www.corteidh.or.cr/docs/casos/articulos/seriec_237_ing.pdf.

163. *See infra* Annex I.

estimating whether their payment can be considered a Partial Compliance by the State.¹⁶⁴ They do, however, still appear in the Annex of this paper.¹⁶⁵

It is also necessary to point out that in light of the abundance of data, there are some minor differences with respect to the total number of M.C. and R.F. from the year 2015 indicated in this work and those mentioned in the *2015 Annual Report*, which on several occasions is due to disparity of nomenclature or classification.¹⁶⁶ The same occurred with the data provided by the document *Systematization of the resolutions of provisional measurements issued by the I/A Court* (only in Spanish; hereinafter, *Systematization*).¹⁶⁷ Finally, there are also data that differ from those in the *2016 Annual Report*,¹⁶⁸ the *Annual Report 2017*¹⁶⁹ and the *Annual Report 2018*.¹⁷⁰ However, none of these slight differences affected the global statistics of this study.¹⁷¹

It should be noted that the distinction between Unfulfilled cases and Partial Compliance is not always easy.¹⁷² However, that a case is in one or another status has not affected the weighing of the data of this study (in

164. *Id.* e.g., *Barrios Family v. Venezuela, Merits, Reparations, and Costs*, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 237, ¶ 384-86 (Nov. 24, 2011), http://www.corteidh.or.cr/docs/casos/articulos/seriec_237_ing.pdf.

165. *See infra* Annex I.

166. *See infra* Annex I. *See also* Rep. Inter-Am. Ct. H.R. 2015, *supra* note 153. There are some slight differences in the quantification of M.C. and R.F. (54-57 and 62-70). *Id.*

167. Secretaria de la Corte Interamericana [Secretary of the Inter-American Court], *Sistematización de las Resoluciones sobre medidas provisionales emitidas por la Corte Interamericana de Derechos Humanos* [*Systematization of Resolutions on Provisional Measures issued by the Inter-American Court of Human Rights*], INTER-AM. CT. H.R. (2017), <http://www.corteidh.or.cr/sitios/libros/todos/docs/Sistematizacion.pdf>. The main difference is that throughout this document they are not counted as they are here, as P.M., which have been declared by the President of the Court. In addition, 7 other resolutions of this type were omitted. *Id.*

168. *See* Rep. Inter-Am. Ct. H.R. 2016, *supra* note 153. Those dismissed or denied which were not considered in this paper are included among the ruled cases (70) (see note 6479), also with respect Trinidad and Tobago (70 and 100, the accumulation of existing files is not taken into account. *See* Annex I, note 21). There are also minimal differences with respect to the number of M.C. and R.F. (74-75 and 83-85) and P.M. (104-113) and to the total number of cases (75-76 and 94-102). *Id.*

169. *See* Rep. Inter-Am. Ct. H.R. 2017, *supra* note 153. There are some slight differences in the quantification of M.C. and R.F. (69, 79-81 and 168-169). *Id.*

170. *See* Rep. Inter-Am. Ct. H.R. 2018, *supra* note 153. There are some slight differences in the quantification of M.C. and R.F. (73 and 142-151). *Id.*

171. *See* Rep. Inter-Am. Ct. H.R. 2016, *supra* note 153; *see* Rep. Inter-Am. Ct. H.R. 2017, *supra* note 153; *see* Rep. Inter-Am. Ct. H.R. 2018, *supra* note 153.

172. Huneecus, *Compliance with International Court Judgments*, *supra* note 44, at 8-9.

particular, data within Tables 1 and 2), since they have generally been recorded jointly.¹⁷³

It is also important to highlight that in some cases, various percentages have been calculated.¹⁷⁴ In order to present the information in a more reader-friendly way, however, these percentages were approximated to the nearest whole number, or to simple decimals such as 0.5 or 0.3, which sometimes makes the total sum not exactly 100%.¹⁷⁵

It must be emphasized that all information to which reference is made appears in the Annex of the present work, in which the Judgements on Merits were organized in alphabetical order, and if there are any Com.J., P.M., M.C. and/or R.F. involved, they were included in the current status of each case.¹⁷⁶

In sections 4, 5, 6 and 7, lists, graphs, tables and some comments are presented, analyzing several situations of ruled cases that were indicated at the time.¹⁷⁷ Finally, conclusions are drawn, although it is evident that the reader can reach their own from the information provided throughout the work.¹⁷⁸

Finally, according to official information on the website of the Court,¹⁷⁹ until December 31, 2018, there have been approximately 324 more P.M., referring to situations other than the cases already issued (the so-called “Matters”), which is why they were not considered in this study.¹⁸⁰

V. CLASSIFICATIONS AND DATA TO CONSIDER

As indicated, even though the Court's website lists 373 contentious cases until December 2018, several cases also contain Com.J., which means that, also discounting the Denied or Dismissed cases (a total of 8), the actual number of seen cases is 240 (and there are, therefore, 125 Com.J.).¹⁸¹ It must

173. See Annex I; see *supra* Table 1, Table 2; see also INTER-AM. CT. H.R., <http://www.corteidh.or.cr/index-en.cfm> (last visited Feb. 22, 2020).

174. See Annex I; see *supra* Table 1, Table 2; see also INTER-AM. CT. H.R., <http://www.corteidh.or.cr/index-en.cfm> (last visited Feb. 22, 2020).

175. See Annex I; see *supra* Table 1, Table 2; see also INTER-AM. CT. H.R., <http://www.corteidh.or.cr/index-en.cfm> (last visited Feb. 22, 2020).

176. See Annex I; see *supra* Table 1, Table 2; see also INTER-AM. CT. H.R., <http://www.corteidh.or.cr/index-en.cfm> (last visited Feb. 22, 2020).

177. See Annex I; see *supra* Table 1, Table 2; see also INTER-AM. CT. H.R., <http://www.corteidh.or.cr/index-en.cfm> (last visited Feb. 22, 2020).

178. See Annex I; see *supra* Table 1, Table 2; see also INTER-AM. CT. H.R., <http://www.corteidh.or.cr/index-en.cfm> (last visited Feb. 22, 2020).

179. INTER-AMERICAN COURT OF HUMAN RIGHTS, http://www.corteidh.or.cr/cf/Jurisprudencia2/busqueda_casos_contenciosos.cfm?lang=en (last visited Jan. 30, 2020).

180. See *Id.*; see also Annex I.

181. See Annex I.

be remembered that in recent years, the Court tended to unify the Judgements on Merits with those of Preliminary Objections and those of Reparations and Costs.¹⁸² Even so, the number of Interpretation of Judgments remains high, and for obvious reasons, it is impossible to unify them with those of Merits.¹⁸³

In this section the cases that have had more Com.J., P.M. and M.C. will be mentioned.

The cases with more sentences, adding the Merits to the Com.J. are:

- a) With 6 rulings, *Loayza Tamayo v. Peru* and *Cesti Hurtado v. Peru*,¹⁸⁴
- b) With 4 rulings, *Godínez Cruz v. Honduras*, *Blake v. Guatemala*, *Velásquez Rodríguez v. Honduras* and for the accumulation of files, *Hilaire, Constantine and Benjamin et al. v. Trinidad and Tobago*,¹⁸⁵
- c) With 3 rulings, *Neira Alegría et al. v. Peru*; *El Amparo v. Venezuela*; *Caballero Delgado and Santana v. Colombia*; *Castillo Páez v. Peru*; *Suárez Rosero v. Ecuador*; *Genie Lacayo v. Nicaragua*; "White Van" (*Paniagua Morales et al.*) *v. Guatemala*; *Castillo Petruzzi et al. v. Peru*; "Street Children" (*Villagrán-Morales et al.*) *v. Guatemala*; *Cantoral Benavides v. Peru*; *Durand and Ugarte v. Peru*; *Baena Ricardo et al. v. Panama*; *Barrios Altos v. Peru*; *Ivcher Bronstein v. Peru*; *Las Palmeras v. Colombia*; *Serrano Cruz Sisters v. El Salvador* and *Salvador Chiriboga v. Ecuador*.¹⁸⁶

182. Cavallaro & Brewer, *supra* note 58, at 781; e.g., *Gelman v. Uruguay*, Merits and Reparations, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 221 (Feb. 24, 2011); *Ituango Massacres v. Colombia*, Preliminary Objections, Merits, Reparations and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 148 (Jul. 1, 2006).

183. Cavallaro & Brewer, *supra* note 58, at 781.

184. *Loayza-Tamayo v. Peru*, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 33 (Sept. 17, 1997); *Cesti-Hurtado v. Peru*, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 56 (Sept. 29, 1999).

185. *Godínez-Cruz v. Honduras*, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 5 (Jan. 20, 1989); *Blake v. Guatemala*, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 36 (Jan. 24, 1998); *Hilaire, Constantine and Benjamin et al. v. Trinidad and Tobago*, Merits, Reparations and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 94 (June 21, 2002).

186. *Neira-Alegría et al. v. Peru*, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 20 (Jan. 19, 1995); *El Amparo v. Venezuela*, Reparations and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 19 (Sept. 14, 1996); *Caballero-Delgado and Santana v. Colombia*, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 22 (Dec. 8, 1995); *Castillo-Páez v. Peru*, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 34 (Nov. 3, 1997); *Suárez-Rosero v. Ecuador*, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 35 (Nov. 12, 1997); *Genie-Lacayo v. Nicaragua*, Merits, Reparations and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 30 (Jan. 29, 1997); "White Van" (*Paniagua-Morales et al.*) *v. Guatemala*, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 37 (Mar. 8, 1998); *Castillo Petruzzi et al.*, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 52 (May 30, 1999); "Street Children" (*Villagrán-Morales et al.*) *v. Guatemala*, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 63 (Nov. 19, 1999); *Cantoral-Benavides v. Peru*, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 69 (Aug. 18, 2000); *Durand and Ugarte v. Peru*, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 68 (Aug. 16, 2000); *Baena-Ricardo et al. v. Panama*, Merits, Reparations and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 239 (Feb. 2, 2001); *Barrios Altos v. Peru*, Merits, Judgment,

With respect to P.M., the cases registering more applications of this type, apart from those resolved by the Court, are the following:

- a) With 17, *Hilaire, Constantine and Benjamin et al. v. Trinidad and Tobago*, that are Unfulfilled.¹⁸⁷
- b) With 16, *Wong Ho Wing v. Peru*, which has Partial Compliance;¹⁸⁸
- c) With 15, *Carpio Nicolle et al. v. Guatemala*, with Partial Compliance;¹⁸⁹
- d) With 12, *Bámaca Velásquez v. Guatemala*, which is Unfulfilled;¹⁹⁰
- e) With 11, *Caballero Delgado and Santana v. Colombia*, with Partial Compliance;¹⁹¹
- f) *Ríos et al. v. Venezuela; Barrios family v. Venezuela and Expelled Dominicans and Haitians v. Dominican Republic* have 10 resolutions of this type, the first and second are Unfulfilled, and the third is Pending;¹⁹²
- g) With 9, *Torres Millacura et al. v. Argentina*, which has Partial Compliance;¹⁹³
- h) Then, with 8, *Blake v. Guatemala*, being Unfulfilled;¹⁹⁴ *Myrna Mack Chang v. Guatemala; 19 Merchants v. Colombia, Raxcacó Reyes v. Guatemala and Fernández Ortega et al. v. Mexico*, all of which have Partial Compliance;¹⁹⁵

Inter-Am. Ct. H.R. (ser. C) No. 75 (Mar. 14, 2001); Baruch Ivcher Bronstein vs. Peru, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 74 (Feb. 6, 2001); Las Palmeras v. Colombia, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 90 (Dec. 6, 2001); Serrano-Cruz Sisters v. El Salvador, Merits, Reparations and Costs, Inter-Am. Ct. H.R. (ser. C) No. 120 (Mar. 1, 2005); Salvador Chiriboga v. Ecuador, Preliminary Objection and Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 179 (May 6, 2008).

187. Hilaire, Constantine and Benjamin et al. v. Trinidad and Tobago, *supra* note 185.

188. Wong Ho Wing v. Peru, Preliminary Objection, Merits, Reparations and Costs, Inter-Am. Ct. H.R. (ser. C) No. 297 (June 30, 2015).

189. Carpio-Nicolle et al. v. Guatemala, Merits, Reparations and Costs, Inter-Am. Ct. H.R. (ser. C) No. 117 (Nov. 22, 2004).

190. Bámaca-Velásquez v. Guatemala, Merits, Judgment, Inter-Am. Ct. H.R. (Ser. C) No. 70 (Nov. 25, 2000).

191. Caballero-Delgado and Santana v. Colombia, *supra* note 186.

192. Ríos et al. v. Venezuela, Preliminary Objections, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 194 (Jan. 28, 2009); Barrios Family v. Venezuela, Merits, Reparations and Costs, Inter-Am. Ct. H.R. (ser. C) No. 237 (Nov. 24, 2011); Expelled Dominicans and Haitians v. Dominican Republic, Preliminary Objections, Merits, Reparations and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 70 (Aug. 28, 2014).

193. Torres Millacura et al. v. Argentina, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 229 (Aug. 26, 2011).

194. Blake v. Guatemala, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 36 (Jan. 24, 1998).

195. Myrna Mack Chang v. Guatemala, Merits, Reparations and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 101 (Nov. 25, 2003); 19 Tradesmen v. Colombia, Merits, Reparations and Costs,

- i) With 7, *Cesti Hurtado v. Peru*, *García Prieto et al. v. El Salvador* and *Plan de Sánchez Massacre v. Guatemala*, with Partial Compliance;¹⁹⁶
- j) With 6, *De la Cruz Flores v. Peru*, *Loayza Tamayo v. Peru* and *Gutiérrez Soler v. Colombia*, with Partial Compliance.¹⁹⁷ Also with 6 measures, *Herrera Ulloa v. Costa Rica*, although this case has already achieved Full Compliance;¹⁹⁸
- k) Finally, with 5 P.M., “*White Van*” (*Paniagua Morales et al. v. Guatemala*); *Perozo et al. v. Venezuela* and *Uzcátegui et al. v. Venezuela*, all of them Unfulfilled;¹⁹⁹ *Yakye Axa Indigenous Community v. Paraguay*, with Partial Compliance, and *Cantos v. Argentina*, with Full Compliance.²⁰⁰

Judgment, Inter-Am. Ct. H.R. (ser. C) No. 109 (July 5, 2004); *Raxcacó Reyes v. Guatemala*, Interpretation of the Judgement of Merits, Reparations and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 143 (Feb. 6, 2006); *Raxcacó Reyes v. Guatemala*, Interpretation of the Judgement of Merits, Reparations and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 133 (Sept. 15, 2005); *Fernández Ortega et al. v. Mexico*, Preliminary Objection, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 215 (Aug. 30, 2010).

196. *Cesti Hurtado v. Peru*, Reparations and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 78 (May 31, 2001); *Cesti Hurtado v. Peru*, Interpretation of the Judgment of Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 65 (Jan. 29, 2000); *Cesti Hurtado v. Peru*, Preliminary Objections, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 49 (Jan. 26, 1999); *García Prieto et al. v. El Salvador*, Interpretation of the Judgment on Preliminary Objections, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 188 (Nov. 24, 2008); *García Prieto et al. v. El Salvador*, Preliminary Objections, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 168 (Nov. 20, 2007); *Plan de Sánchez Massacre v. Guatemala*, Reparations, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 116 (Nov. 19, 2004); *Plan de Sánchez Massacre v. Guatemala*, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 105 (Apr. 29, 2004).

197. *De la Cruz Flores v. Peru*, Merits, Reparations and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 115 (Nov. 18, 2004); *Loayza Tamayo v. Peru*, Reparations and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 42 (Nov. 27, 1998); *Loayza Tamayo v. Peru*, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 33 (Sept. 17, 1997); *Loayza Tamayo v. Peru*, Preliminary Objections, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 25 (Jan. 31, 1996); *Gutiérrez Soler v. Colombia*, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 132 (Sept. 12, 2005).

198. *Herrera Ulloa v. Costa Rica*, Preliminary Objections, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 107 (July 2, 2004).

199. “*White Van*” (*Paniagua Morales et al. v. Guatemala*, Reparations and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 76 (May 25, 2001); “*White Van*” (*Paniagua Morales et al. v. Guatemala*, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 37 (Mar. 8, 1998); “*White Van*” (*Paniagua Morales et al. v. Guatemala*, Preliminary Objections, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 23 (Jan. 25, 1996); *Perozo et al. v. Venezuela*, Preliminary Objections, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 195 (Jan. 28, 2009); *Uzcátegui et al. v. Venezuela*, Merits and Reparations, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 249 (Sept. 3, 2012).

200. *Yakye Axa Indigenous Community v. Paraguay*, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 125 (June 17, 2005); *Cantos v. Argentina*, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 97 (Nov. 28, 2002); *Cantos v. Argentina*, Preliminary Objections, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 85 (Sept. 7, 2001).

Lastly, the situations with more M.C. are the following:

- a) *Bámaca Velásquez v. Guatemala* with 11 M.C., Unfulfilled, and *Baena Ricardo et al. v. Panama*, with Partial Compliance;²⁰¹
- b) Followed by 9, *Loayza Tamayo v. Peru*, with Partial Compliance;²⁰²
- c) With 8, “*Street Children*” (*Villagrán-Morales et al.*) *v. Guatemala*, “*Five Pensioners*” *v. Peru*; *Miguel Castro Castro Prison v. Peru*, all of them Unfulfilled, and *Barrios Altos v. Peru*, with Partial Compliance.²⁰³
- d) With 7 M.C., *El Amparo v. Venezuela* and *Yatama v. Nicaragua*, all of them Unfulfilled, and *Castillo Páez v. Peru*; *Cesti Hurtado v. Peru*; *Sawhoyamaya Indigenous Community v. Paraguay*, *Plan de Sánchez Massacre v. Guatemala* and *19 Merchants v. Colombia*, all of them with Partial Compliance;²⁰⁴

201. *Bámaca Velásquez v. Guatemala*, Reparations and Cost, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 91 (Feb. 22, 2002); *Bámaca Velásquez v. Guatemala*, Merits, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 70 (Nov. 25, 2000); *Baena Ricardo et al. v. Panama*, Competence, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 104 (Nov. 28, 2003); *Baena Ricardo et al. v. Panama*, Merits, Reparations and Costs, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 72 (Feb. 2, 2001); *Baena Ricardo et al. v. Panama*, Preliminary Objections, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 61 (Nov. 18, 1999).

202. *Loayza Tamayo v. Peru*, Reparations and Costs, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 42 (Nov. 27, 1998); *Loayza Tamayo v. Peru*, Merits, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 33 (Sept. 17, 1997); *Loayza Tamayo v. Peru*, Preliminary Objections, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 25 (Jan. 31, 1996).

203. “*Street Children*” (*Villagrán-Morales et al.*) *v. Guatemala*, Reparations and Costs, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 77 (May 26, 2001); “*Street Children*” (*Villagrán-Morales et al.*) *v. Guatemala*, Merits, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 63 (Nov. 19, 1999); “*Street Children*” (*Villagrán-Morales et al.*) *v. Guatemala*, Preliminary Objections, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 32 (Sept. 11, 1997); “*Five Pensioners*” *v. Peru*, Merits, Reparations and Costs, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 98 (Feb. 28, 2003); *Miguel Castro Castro Prison v. Peru*, Merits, Interpretation of the Judgment on Merits, Reparations and Costs, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 181 (Aug. 2, 2008); *Miguel Castro Castro Prison v. Peru*, Merits, Reparations and Costs, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 160 (Nov. 25, 2006).

204. *El Amparo v. Venezuela*, Reparations and Costs, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 28 (Sept. 14, 1996); *El Amparo v. Venezuela*, Merits, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 19 (Jan. 18, 1995); *Yatama v. Nicaragua*, Preliminary Objections, Merits, Reparations and Costs, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 127 (June 23, 2005); *Castillo Páez v. Peru*, Reparations and Costs, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 43 (Nov. 27, 1998); *Castillo Páez v. Peru*, Merits, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 34 (Nov. 3, 1997); *Castillo Páez v. Peru*, Preliminary Objections, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 24 (Jan. 30, 1996); *Cesti Hurtado v. Peru*, Reparations and Costs, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 78 (May 31, 2001); *Cesti Hurtado v. Peru*, Interpretation of the Judgment of Merits, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 65 (Jan. 29, 2000); *Cesti Hurtado v. Peru*, Preliminary Objections, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 49 (Jan. 26, 1999); *Sawhoyamaya Indigenous Community v. Paraguay*, Merits, Reparations and Costs, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 146 (Mar. 29, 2006); *Plan de Sánchez Massacre v. Guatemala*, Reparations, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 116 (Nov. 19, 2004); *Plan de Sánchez Massacre v. Guatemala*, Merits, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 105 (Apr. 29, 2004); *19 Tradesmen v. Colombia*, Merits, Reparations and Costs, Judgment, Inter–Am. Ct. H.R. (ser. C) No. 109 (July 5, 2004).

- e) With 6 M.C., *Blake v. Guatemala*, Unfulfilled,²⁰⁵ and *Caballero Delgado and Santana v. Colombia*; *Cantoral Benavides v. Peru*; *Juan Humberto Sánchez v. Honduras* and *Myrna Mack Chang v. Guatemala*, all of them with Partial Compliance;²⁰⁶ and finally,
- f) With 5 M.C., *Maritza Urrutia v. Guatemala* and *Molina Theissen v. Guatemala*, all of them Unfulfilled, and *Trujillo Oroza v. Bolivia*; *Ivcher Bronstein v. Peru*; “*Juvenile Reeducation Institute*” v. *Paraguay*; *Carpio Nicolle et al. v. Guatemala*; *Yaye Axa Indigenous Community v. Paraguay*; *Gómez Palomino v. Peru*; *Ituango Massacres v. Colombia*; *Serrano Cruz Sisters v. El Salvador*; *Chaparro Álvarez and Lapo Íñiguez. v. Ecuador*; *Palamara Iribarne v. Chile* and *Radilla Pacheco v. Mexico*, all of them with Partial Compliance; and lastly, having 5 M.C, *Salvador Chiriboga v. Ecuador*; *Herrera Ulloa v. Costa Rica*, *Ricardo Canese v. Paraguay* and *Cantos v. Argentina*, all of them with Full Compliance.²⁰⁷

205. *Blake v. Guatemala*, Reparations and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 48 (Jan. 22, 1999); *Blake v. Guatemala*, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 36 (Jan. 24, 1998); *Blake v. Guatemala*, Preliminary Objections, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 27 (July 2, 1996).

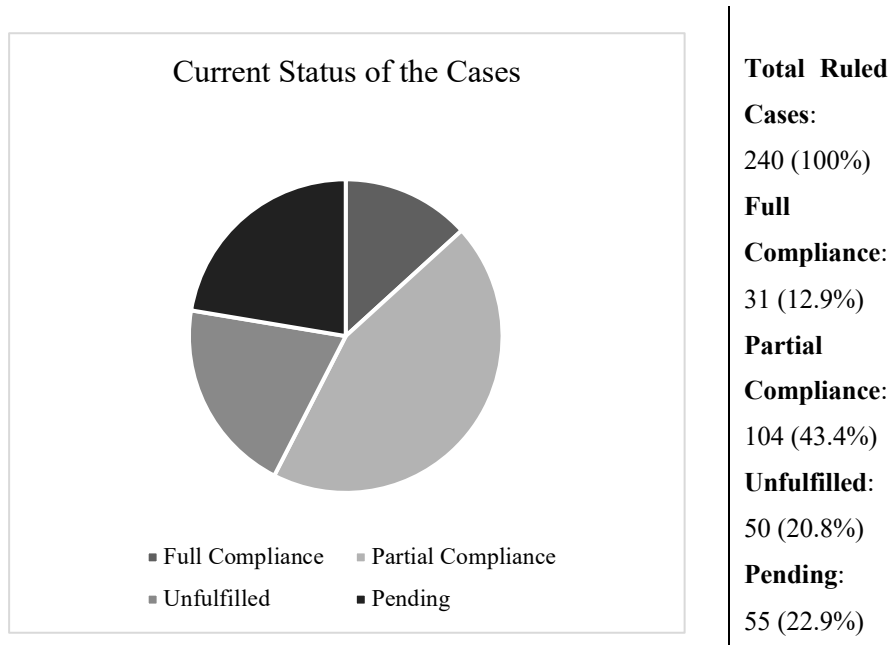
206. See *Blake v. Guatemala*, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C), No. 36, ¶ 32–8 (Jan. 24, 1998); *Caballero Delgado and Santana v. Colombia*, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C), No. 22, at 6 (Dec. 8, 1995); *Cantoral Benavides v. Peru*, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C), No. 69, at 57–9 (Aug. 18, 2000); *Juan Humberto Sánchez v. Honduras*, Preliminary Objection, Merits, Reparations and Costs, Inter-Am. Ct. H.R. (ser. C), No. 99, at 95–99 (June, 7, 2003); *Myrna Mack Chang v. Guatemala*, Merits, Reparations and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C), No. 101, ¶ 53–55 (Nov. 25, 2003).

207. See *Maritza Urrutia v. Guatemala*, Merits, Reparations and Costs, Inter-Am. Ct. H.R. (ser. C), No. 103, at 62–4 (Nov. 27, 2003); *Molina Theissen v. Guatemala*, Reparations and Costs, Inter-Am. Ct. H.R. (ser. C), No. 108, at 46–9 (July 3, 2004); *Trujillo Oroza v. Bolivia*, Merits, Inter-Am. Ct. H.R. (ser. C), No. 64, at 11 (Jan. 26, 2000); *Ivcher Bronstein v. Peru*, Merits, Reparations and Costs, Inter-Am. Ct. H.R. (ser. C), No. 74, at 65–6 (Feb. 6, 2001); “*Juvenile Reeducation Institute*” v. *Paraguay*, Preliminary Objections, Merits, Reparations and Costs, Inter-Am. Ct. H.R. (ser. C), No. 112, at 147–151 (Sept. 2, 2004); *Carpio Nicolle et al. v. Guatemala*, Merits, Reparations and Costs, Inter-Am. Ct. H.R. (ser. C), No. 117, at 82–5 (Nov. 22, 2004); *Yakye Axa Indigenous Community v. Paraguay*, Merits, Reparations and Costs, Inter-Am. Ct. H.R. (ser. C), No. 125, at 103–5 (June 17, 2005); *Gómez Palomino v. Peru*, Merits, Reparations and Costs, Inter-Am. Ct. H.R. (ser. C), No. 136, at 60–2 (Nov. 22, 2005); *Ituango Massacres v. Colombia*, Preliminary Objections, Merits, Reparations and Costs, Inter-Am. Ct. H.R. (ser. C), No. 148, at 149–152 (July 1, 2006); *Serrano Cruz Sisters v. El Salvador*, Merits, Reparations and Costs, Inter-Am. Ct. H.R. (ser. C), No. 120, at 98–102 (Mar. 1, 2005); *Chaparro Álvarez and Lapo Íñiguez. v. Ecuador*, Preliminary Objections, Merits, Reparations and Costs, Inter-Am. Ct. H.R. (ser. C), No. 170, at 61–2 (Nov. 21, 2007); *Palamara-Iribarne v. Chile*, Merits, Reparations and Costs, Inter-Am. Ct. H.R. (ser. C), No. 135, at 117–9 (Nov. 22, 2005); *Radilla Pacheco v. Mexico*, Preliminary Objections, Merits, Reparations and Costs, Inter-Am. Ct. H.R. (ser. C), No. 209, at 105–7 (Nov. 23, 2009); *Salvador Chiriboga v. Ecuador*. Preliminary Objections and Merits. Judgment, Inter-Am. Ct. H.R. (ser. C), No. 179,

VI. DATA ANALYSIS

In this section there are two different charts and two tables showing different data regarding the cases listed in the Annex I that may be of interest. In addition, when considered necessary, some brief comments have been made regarding the information that appears there. It should be remembered that percentages were approximated to make the information reader-friendly.

IMAGE 1: CURRENT STATUS OF THE CASES²⁰⁸



As can be seen, the Full Compliance level of the Court's rulings is quite low (12.9 percent),²⁰⁹ which sharply contrasts with cases with Partial

at 37 (May 6, 2008); *Herrera Ulloa v. Costa Rica*, Preliminary Objections, Merits, Reparations and Costs, Inter-Am. Ct. H.R. (ser. C), No. 107, at 91–2 (July 2, 2004); *Ricardo Canese v. Paraguay*, Merits, Reparations and Costs, Inter-Am. Ct. H.R. (ser. C), No. 111, at 95–6 (Aug. 31, 2004); *Cantos v. Argentina*, Merits, Reparations and Costs, Inter-Am. Ct. H.R. (ser. C), No. 97, at 38 (Nov. 28, 2002).

208. See Annex I.

209. Several reviewed works have contributed to this result, although with minor differences of percentage, in attention to the number of rulings analyzed and time of the study, although they were reviewed after having performed our own analysis. *Basch*, *supra* note 62, at 27; *González-Salzberg*, *The Effectiveness of the Inter-American Human Rights System*, *supra* note 69, at 122; *González-Salzberg*, *Do States Comply*, *supra* note 91, at 1–2; *González-Salzberg*, *Complying Partially*, *supra* note 85, at 39; *Cançado Trindade*, *Compliance*, *supra* note 58, at 33; *Anaya*, *supra* note 58, at 176; *Barrera*, *supra* note

Compliance or Unfulfilled (in total 64.2 percent), all of which led to the observation that “failure to comply with the measures required by the ISHR seems remarkably widespread.”²¹⁰ It should be remembered that with regard to Pending cases (22.9 percent), the only thing that can be stated with certainty is that they do not have Full Compliance, which is why the full percentage of Unfulfilled cases or with Partial Compliance actually amounts to 87.1 percent.²¹¹

**TABLE 1: STATUS OF THE CASES IN NUMBERS
AND PERCENTAGES ACCORDING TO EACH COUNTRY**²¹²

STATUS	Total (100%)	Full Com	Partial Com	Unfulfilled	Pending
Argentina	15	4 (26.7%)	6 (40%)	3 (20%)	2 (13.3%)
Barbados	2	----	1 (50%)	1 (50%)	----
Bolivia	6	2 (33.3%)	4 (66.7%)	----	----
Brazil	8	1 (12.5%)	3 (37.5%)	----	4 (50%)
Chile	10	2 (20%)	6 (60%)	----	2 (20%)
Colombia	22	----	12 (54.5%)	4 (18.2%)	6 (27.3%)
Costa Rica	4	1 (25%)	1 (25%)	----	2 (50%)
Dominican R	4	----	1 (25%)	----	3 (75%)
Ecuador	21	8 (38.1%)	9 (42.9%)	----	4 (19%)
El Salvador	6	----	4 (66.7%)	2 (33.3%)	----
Guatemala	27	1 (3.7%)	12 (44.5%)	10 (37%)	4 (14.8%)
Haiti	2	----	----	2 (100%)	----

58, at 196; Huneeus. *Rejecting the Inter-American Court*, *supra* note 61, at 83; Baluarte, *supra* note 91, at 272; Hawkins & Jacoby, *supra* note 49, at 37.

210. Basch, *supra* note 62, at 28.

211. *See* Annex I.

212. *See* Annex I; *see generally* Rep. Inter.-Am. Ct. H.R. 2018, <http://www.corteidh.or.cr/tablas/informe2018/ingles.pdf>.

Honduras	13	2 (15.4%)	7 (53.8%)	----	4 (30.8%)
Mexico	10	1 (10%)	6 (60%)	----	3 (30%)
Nicaragua	5	2 (40%)	----	1 (20%)	2 (40%)
Panama	5	1 (20%)	4 (80%)	----	----
Paraguay	7	1 (14.3%)	6 (85.7%)	----	----
Peru	43	3 (7%)	18 (41.9%)	10 (23.2%)	12 (27.9%)
Suriname	6	2 (33.3%)	2 (33.3%)	----	2 (33.3%)
T & Tobago	2	----	----	2 (100%)	----
Uruguay	2	----	1 (50%)	----	1 (50%)
Venezuela	20	----	1 (5%)	15 (75%)	4 (20%)
TOTAL	240 (100%)	31 (12.9%)	104 (43.4%)	50 (20.8%)	55 (22.9%)

If the Unfulfilled and Partial Compliance cases are added (prioritizing the first of these situations), the countries with the most defaults, proportionally to the number of cases in which they have been involved, are Trinidad and Tobago (100 percent), Haiti (100 percent), Barbados (100 percent), El Salvador (100 percent), Guatemala (81.5 percent), Venezuela (80 percent) and Colombia (72.7 percent).²¹³ In contrast, the countries with the highest compliance percentages are Nicaragua (40 percent), Ecuador (38.1 percent) and Suriname and Bolivia (33.3 percent).²¹⁴

Furthermore, within countries that have fully complied with a judgment of the Court, Guatemala has the lowest percentage: 3.7 percent, equivalent to one sentence.²¹⁵ Nicaragua has proportionally complied fully with more convictions, with 40 percent of the cases in which it has been involved which, in its case, are equivalent with two rulings.²¹⁶ Finally,

213. See Table 1.

214. *Id.*

215. *Id.*

216. *Id.*

Ecuador has carried out the highest number of sentences, with a total of eight, equivalent to 38.1 percent of the cases in which it has been involved.²¹⁷

The most delicate situations are in Trinidad and Tobago, Haiti, Guatemala and Venezuela.²¹⁸ The first denounced the American Convention in 1998 and the third in 2012, both of which became effective a year later.²¹⁹ The situation in Haiti needs no explanation.²²⁰ Finally, as for Guatemala, its high level of unfulfilment and Partial Compliances (22 cases, equivalent to 81.5 percent of those submitted), has been harshly criticized, as it is evident in the aforementioned *M.C. Joint Monitoring Compliance of eleven cases v. Guatemala*,^(**)²²¹ and *twelve Guatemalan's Cases v. Guatemala*.^(***)²²²

Finally, it must be remembered that the reasons that each country may have complied with the judgments of the Court have not been taken into account here.

217. See Annex I; *Monitoring Compliance with Judgement*, INTER-AMERICAN COURT OF HUMAN RIGHTS, <http://corteidh.or.cr/cf/Jurisprudencia2/index.cfm?lang=en> (last visited Feb. 22, 2020).

218. See Annex I; *Monitoring Compliance with Judgement*, INTER-AMERICAN COURT OF HUMAN RIGHTS, <http://corteidh.or.cr/cf/Jurisprudencia2/index.cfm?lang=en> (last visited Feb. 22, 2020).

219. See Annex I; *Monitoring Compliance with Judgement*, INTER-AMERICAN COURT OF HUMAN RIGHTS, <http://corteidh.or.cr/cf/Jurisprudencia2/index.cfm?lang=en> (last visited Feb. 22, 2020).

220. See Annex I; *Monitoring Compliance with Judgement*, INTER-AMERICAN COURT OF HUMAN RIGHTS, <http://corteidh.or.cr/cf/Jurisprudencia2/index.cfm?lang=en> (last visited Feb. 22, 2020).

221. *Joint Monitoring Compliance of 11 cases v. Guatemala*, Inter-Am. Ct. H.R., (Aug. 21, 2014); see *“White Van” (Paniagua Morales et al.) v. Guatemala, Reparations and Costs*, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 76 (May 25, 2001); *Human Rights Defender et al. v. Guatemala, Resolutions*, Inter-Am. Ct. H.R. (Sep. 2, 2015); *Fermin Ramírez v. Guatemala, Reparations and Costs*, Judgment, Inter-Am. Ct. H.R. (Jun. 20, 2005); see also *Myrna Mack Chang v. Guatemala, Reparations and Costs*, Judgment, Inter-Am. Ct. H.R. (Nov. 23, 2003).

222. *“White Van” (Paniagua Morales et al.) v. Guatemala, Reparations and Costs*, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 76 (May 25, 2001) (*In none of the cases mentioned has the Court determined that there has been a total compliance of the obligation to investigate, prosecute and, in its case, punish.*; *Myrna Mack Chang v. Guatemala, Reparations and Costs*, Judgment, Inter-Am. Ct. H.R. (Nov. 23, 2003) (*Only in the Mack Chang case [...] a partial compliance of the measure was declared [...] in view of the aforementioned, the Court concludes that reparation measures relating to the obligation to investigate the facts of the 12 cases are pending compliance*).

TABLE 2: PERCENTAGES OF THE CURRENT STATUS OF THE CASES (FULL COMPLIANCE, PARTIAL COMPLIANCE AND UNFULFILLED), OF PROVISIONAL MEASURES AND COMPLIANCE WITH JUDGEMENT OF EACH COUNTRY IN RELATION TO THE INTER-AMERICAN SYSTEM²²³

STATUS	Cases	Full Com	Partial Com	Unfulfilled	P.M.	M.C.
Argentina	6.3% (15)	12.9% (4)	5.8% (6)	6% (3)	3.4% (10)	4.5% (24)
Barbados	0.8% (2)	-----	1% (1)	2% (1)	1.4% (4)	0.4% (2)
Bolivia	2.5% (6)	6.5% (2)	3.8% (4)	-----	0.7% (2)	2.2% (12)
Brazil	3% (8)	3.2% (1)	2.9% (3)	-----	0.3% (1)	1.7% (9)
Chile	4.2% (10)	6.5% (2)	5.8% (6)	-----	-----	3% (16)
Colombia	9.2% (22)	-----	11.5% (12)	8% (4)	11% (32)	9.5% (51)
Costa Rica	1.7% (4)	3.2% (1)	1% (1)	-----	2.4% (7)	1.1% (6)
Dominican R	1.7% (4)	-----	1% (1)	-----	4.5% (13)	0.7% (4)
Ecuador	8.8% (21)	25.8% (8)	8.6% (9)	-----	2.4% (7)	7.7% (41)
El Salvador	2.5% (6)	-----	3.8% (4)	4% (2)	2.7% (8)	3% (16)
Guatemala	11.3% (27)	3.2%(1)	11.5% (12)	20% (10)	22.7% (66)	16.8% (90)
Haiti	0.8% (2)	-----	-----	4% (2)	1% (3)	0.6% (3)
Honduras	5.4% (13)	6.5% (2)	6.7% (7)	-----	4.5% (13)	3.7% (20)
Mexico	4.2% (10)	3.2% (1)	5.8% (6)	-----	5.5% (16)	3.6% (19)

223. See Annex I; *Monitoring Compliance with Judgement*, INTER-AMERICAN COURT OF HUMAN RIGHTS, <http://corteidh.or.cr/cf/Jurisprudencia2/index.cfm?lang=en> (search in the search bar for "Monitoring Compliance with Judgment"; then see list of cases populated by the searches) (last visited Feb. 22, 2020).

Nicaragua	2.1% (5)	6.5% (2)	----	2% (1)	0.7 (2)	1.9% (10)
Panama	2.1% (5)	3.2% (1)	3.8% (4)	----	----	3.4% (18)
Paraguay	2.9% (7)	3.2% (1)	5.8% (6)	----	----	6.2% (33)
Peru	17.9% (43)	9.7% (3)	17.3% (18)	20% (10)	20% (58)	20.7% (111)
Suriname	2.5% (6)	6.5% (2)	1.9% (2)	----	0.3% (1)	1.4% (8)
T & Tobago	0.8% (2)	-----	----	4% (2)	5.8% (17)	0.7% (4)
Uruguay	0.8% (2)	-----	1% (1)	----	----	0.2% (1)
Venezuela	8,3% (20)	-----	1% (1)	30% (15)	10.7% (31)	6.9% (37)
TOTAL	100% (240)	100% (31)	100% (104)	100% (50)	100% (291)	100% (535)

It must be remembered that P.M. and M.C. are considered regardless of what the Court has ruled in their respect, and in the case of P.M., whether they take place before or after the Judgement on Merits, since it is assumed that if they have been filed, it is because the conduct of the State has not been ideal.²²⁴ It should also be considered that rulings relating to several cases have been taken separately for each case to which they allude.²²⁵

The country with the highest quantity of P.M. is Guatemala, with sixty-six (22.7 percent of the total of the Inter-American System), followed by Peru, with fifty-eight (20 percent), Colombia with thirty-two (11 percent) and Venezuela with thirty-one (10.7 percent).²²⁶ In contrast, Chile, Panama, Paraguay and Uruguay have not had any.²²⁷ Regarding the M.C., Peru is leading the way with 111 (20.7 percent of the total), followed by Guatemala, with ninety (16.8 percent), Colombia, with fifty-one (9.5 percent), Ecuador, with forty-one (7.7 percent) and Venezuela, with thirty-seven (6.9 percent).²²⁸ It should be remembered that Peru has had the most cases before

224. *See supra* Table. 2.

225. *Id.*

226. *Id.*

227. *Id.*

228. *Id.*

the Court (forty-three, 17.9 percent of the total), which is why, proportionately, the situation of Guatemala and Venezuela is worse.²²⁹

It is also possible to observe a notable procedural fatigue of the Court,²³⁰ since together, P.M. and M.C. more than triple the Judgement on Merits, even though they are much shorter documents.²³¹ However, there are about 324 more P.M. that affect situations, called “Matters,” that have not yet come before the Court (or in the case of having done so, a final ruling has not yet been issued), which is why they have not been considered in this study.²³² Finally, within the Contentious Cases, almost a third of the rulings issued by this Court are what we are referring to as Com.J. (Preliminary Objections, Interpretation of Judgments, etc.).²³³

This means that regardless of whether sentences are more or less extensive, numerically speaking, the general total of resolutions is broken down in this way:²³⁴

229. See Table 2.

230. Shaver, *supra* note 49, at 664, 669.

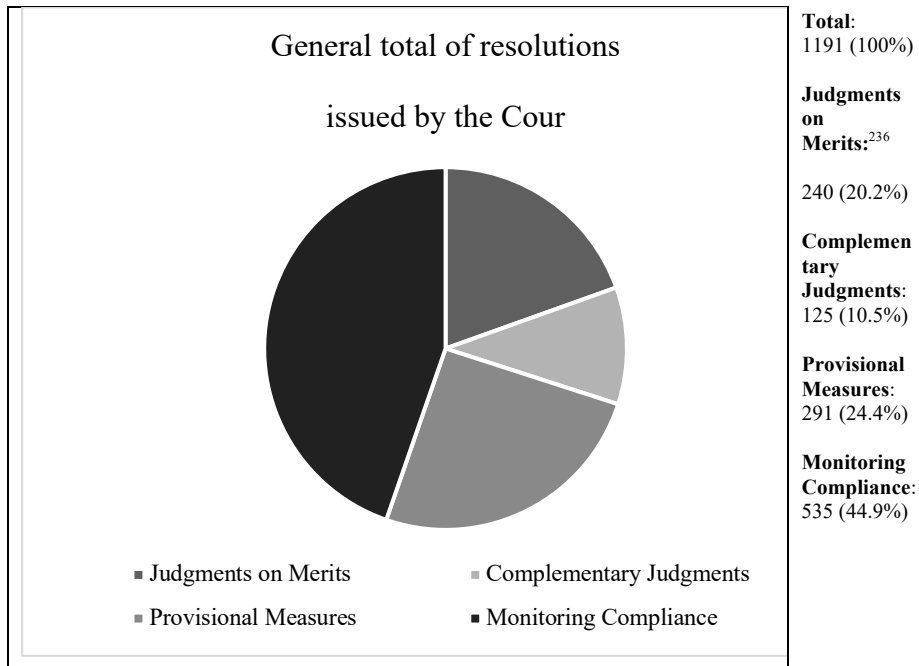
231. See generally *Monitoring Compliance with Judgement*, *supra* note 228; See generally *Provisional Measures*, *supra* note 119. It should also be remembered that R.F. were not considered in this study and that unlike the Systematization, the P.M. by the President of the Court are counted.

232. *Provisional Measures*, *supra* note 119.

233. *Decisions and Judgments*, *supra* note 123; *Provisional Measures*, *supra* note 119; *Monitoring compliance with Judgement*, *supra* note 228; Advisory Opinions, INTER-AMERICAN COURT OF HUMAN RIGHTS, http://corteidh.or.cr/cf/Jurisprudencia2/busqueda_opiniones_consultivas.cfm?lang=en (last visited Feb. 22, 2020).

234. See Annex I. It should be recalled that neither the Dismissed nor the Denied cases, which amounted to a total of 8, were considered.

IMAGE 2: GENERAL TOTAL OF RESOLUTIONS ISSUED BY THE COURT²³⁵



A. Numerical Evolution of the Resolutions of the Court

After analyzing the different resolutions that have been referred to in this study and ordering each one by year, the following table was created:²³⁷

235. *See supra* Figure 2.

236. *Decisions and Judgments, supra* note 123. To the above P.M. (for others "Matters") have been added that until now had not come before the Court (this number rose in late 2018 to about 324). Thus, the situation is even worse.

237. *Id.*

TABLE 3: EVOLUTION OF THE TYPES OF RESOLUTIONS OF THE COURT THROUGHOUT THE YEARS²³⁸

YEAR	J M	Com J	P M	MC	YEAR	J M	Com J	P M	MC
1987	---	3	---	---	2004	11	3	15	12
1988	1	---	2	---	2005	16	4	16	14
1989	1	1	---	---	2006	16	6	15*	18
1990	---	2	---	---	2007	10	3	15*	33
1991	1	2	---	---	2008	10	8	14	49*
1992	---	---	---	---	2009	15	5	25*	70
1993	---	1	---	---	2010	9	---	15	41
1994	1	1	1	---	2011	12	5	18	34*
1995	3	1	5	---	2012	18	2	14	33
1996	1	6	5	1	2013	13	3	11	28
1997	4	4	8	---	2014	12	3	8	19*
1998	3	6	14	---	2015	16	2	10	52*
1999	4	13	8	2	2016	14	7	6	35
2000	4	3	13	---	2017	10	4	6	30
2001	7	13	17	5*	2018	21	7	8	33
2002	2	5	7	11					
2003	5	2	15	14*	Total	240	125	291	535

It must be remembered that R.F. are not considered in the present study, nor have Pending, Denied and Dismissed cases been considered in this table.

The years in which more Judgements on Merits have been issued were 2018, 2012, 2005, 2006 and 2015, with twenty one, eighteen, sixteen, sixteen and sixteen, respectively.²³⁹ As for Com.J., the years 1999, 2001, 2008, 2016 and 2018 are highlighted (with thirteen, thirteen, eight, seven and seven), although as has been stated, the Court recently unified these

238. See Annex I.

239. See Rep. Inter-Am. Ct. H.R. 2018, *supra* note 153; Rep. Inter-Am. Ct. H.R. 2012 (2012), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_2012.pdf; Rep. Inter-Am. Ct. H.R. 2005 (2005), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_2005.pdf; Rep. Inter-Am. Ct. H.R. 2015, *supra* note 153; Rep. Inter-Am. Ct. H.R. 2006 (2006), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_2006.pdf.

resolutions into a single ruling.²⁴⁰ The years with more P.M. so far are 2009, 2011 and 2001, with twenty-five, eighteen and seventeen in each.²⁴¹ Finally, regarding M.C., the years 2009, 2015 and 2008 were the most active, with seventy, fifty-two and forty-nine, respectively.²⁴² On the contrary, the year with the least activity of the Court was 1992, while those in which more resolutions have been issued were 2009 with 114, 2008 and 2015 with eighty – one, 2011 with sixty – nine and 2018 with sixty-nine.²⁴³

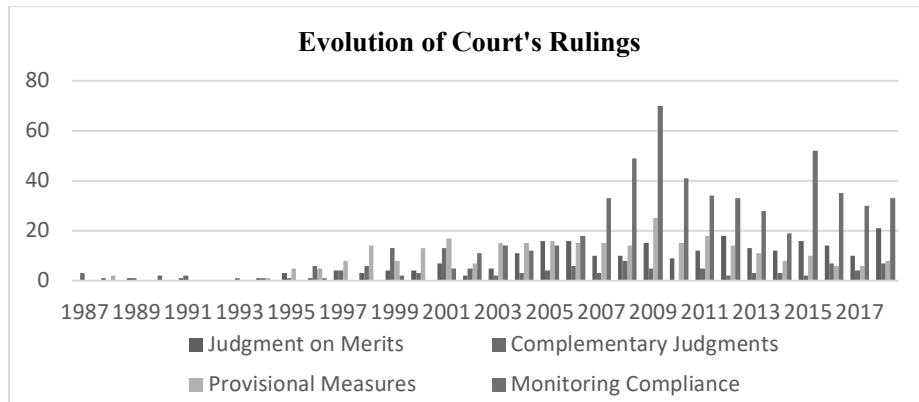
Now, as the last table analyzed the evolution of the resolutions issued by the Court, we can also represent it in the following graph:

240. See Rep. Inter-Am. Ct. H.R. 2018, *supra* note 153; Rep. Inter-Am. Ct. H.R. 2016, *supra* note 153; Rep. Inter-Am. Ct. H.R. 2008 (2008), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_2008.pdf; Rep. Inter-Am. Ct. H.R. 2001 (2001), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_2001.pdf; Rep. Inter-Am. Ct. H.R. 1999 (1999), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_1999.pdf.

241. See Rep. Inter-Am. Ct. H.R. 2011 (2011), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_2011.pdf; Rep. Inter-Am. Ct. H.R. 2009 (2009), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_2009.pdf; Rep. Inter-Am. Ct. H.R. 2001, *supra* note 240.

242. See Rep. Inter-Am. Ct. H.R. 2009, *supra* note 241; Rep. Inter-Am. Ct. H.R. 2008, *supra* note 240; Rep. Inter-Am. Ct. H.R. 2015, *supra* note 153.

243. See Rep. Inter-Am. Ct. H.R. 2011 (2011), *supra* note 241; Rep. Inter-Am. Ct. H.R. 2018, *supra* note 153; Rep. Inter-Am. Ct. H.R. 2015, *supra* note 153; Rep. Inter-Am. Ct. H.R. 2008, *supra* note 240; Rep. Inter-Am. Ct. H.R. 2009, *supra* note 241; Rep. Inter-Am. Ct. H.R. 1992 (1992), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_1992.pdf.

IMAGE 3: EVOLUTION OF COURT'S RULINGS²⁴⁴

In a general manner, there was a notable rise of M.C. since 2002.

244. Rep. Inter-Am. Ct. H.R. 1987 (1987), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_1987.pdf; Rep. Inter-Am. Ct. H.R. 1988 (1988), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_1988.pdf; Rep. Inter-Am. Ct. H.R. 1989 (1989), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_1989.pdf; Rep. Inter-Am. Ct. H.R. 1990 (1990), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_1990.pdf; Rep. Inter-Am. Ct. H.R. 1991 (1991), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_1991.pdf; Rep. Inter-Am. Ct. H.R. 1992, *supra* note 243; Rep. Inter-Am. Ct. H.R. 1993 (1993), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_1993.pdf; Rep. Inter-Am. Ct. H.R. 1994 (1994), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_1994.pdf; Rep. Inter-Am. Ct. H.R. 1995 (1995), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_1995.pdf; Rep. Inter-Am. Ct. H.R. 1996 (1996), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_1996.pdf; Rep. Inter-Am. Ct. H.R. 1997 (1997), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_1997.pdf; Rep. Inter-Am. Ct. H.R. 1998 (1998), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_1998.pdf; Rep. Inter-Am. Ct. H.R. 1999, *supra* note 240; Rep. Inter-Am. Ct. H.R. 2000 (2000), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_2000.pdf; Rep. Inter-Am. Ct. H.R. 2001, *supra* note 240; Rep. Inter-Am. Ct. H.R. 2002 (2002), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_2002.pdf; Rep. Inter-Am. Ct. H.R. 2003 (2003), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_2003.pdf; Rep. Inter-Am. Ct. H.R. 2004 (2004), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_2004.pdf; Rep. Inter-Am. Ct. H.R. 2005, *supra* note 239; Rep. Inter-Am. Ct. H.R. 2006, *supra* note 239; Rep. Inter-Am. Ct. H.R. 2007 (2007), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_2007.pdf; Rep. Inter-Am. Ct. H.R. 2008, *supra* note 240; Rep. Inter-Am. Ct. H.R. 2009, *supra* note 241; Rep. Inter-Am. Ct. H.R. 2010 (2010), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_2010.pdf; Rep. Inter-Am. Ct. H.R. 2011, *supra* note 241; Rep. Inter-Am. Ct. H.R. 2012, *supra* note 239; Rep. Inter-Am. Ct. H.R. 2013 (2013), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_2013.pdf; Rep. Inter-Am. Ct. H.R. 2014 (2014), http://www.corteidh.or.cr/sitios/informes/docs/ENG/eng_2014.pdf; Rep. Inter-Am. Ct. H.R. 2015, *supra* note 153; Rep. Inter-Am. Ct. H.R. 2016, *supra* note 153; Rep. Inter-Am. Ct. H.R. 2017, *supra* note 153; Rep. Inter-Am. Ct. H.R. 2018, *supra* note 153.

B. Cases with Less Degree of Progress

As has been indicated, the level of total compliance with the Court's rulings is quite low (12.9 percent).²⁴⁵ Here, we mention the cases with less compliance that received sentences more than ten years ago.²⁴⁶ In terms of data organization, the following parameters were considered in degree of importance: first, antiquity; then, between cases of the same year, first if it is Unfulfilled (Unf.) or has Partial Compliance (P.C.).²⁴⁷ In the event that two or more cases are in the same situation, the sum of the P.M. and M.C. contained was considered, and finally, if there was a tie, the status of the case that had more M.C. was considered to be the worst.²⁴⁸

TABLE 4: THE CASES WITH LESS DEGREE OF PROGRESS²⁴⁹

CASE	Year	State	P.M.	M.C.	CASE	Year	State	P.M.	M.C.
El Amparo/Ven	1995	Unf.	0	7	Gómez P./Pe	2005	P.C.	0	5
Caballero/Col	1995	P.C.	11	6	Palamara/Chi	2005	P.C.	0	5
Neira/Pe	1995	P.C.	0	2	Yakye Axa/Par	2005	P.C.	0	5
Garrido/Arg	1996	P.C.	0	2	Moiwana C/Sur	2005	P.C.	0	4
Loayza/Per	1997	P.C.	6	9	Girls Yean/ DomR.	2005	P.C.	0	4

245. See Rep. Inter-Am. Ct. H.R. 2018, *supra* note 153.

246. See *infra* Table 4.

247. See *Id.*

248. See *Id.*

249. Rep. Inter-Am. Ct. H.R. 1995, *supra* note 244; Rep. Inter-Am. Ct. H.R. 1996, *supra* note 244; Rep. Inter-Am. Ct. H.R. 1997, *supra* note 244; Rep. Inter-Am. Ct. H.R. 1998, *supra* note 244; Rep. Inter-Am. Ct. H.R. 1999, *supra* note 240; Rep. Inter-Am. Ct. H.R. 2000, *supra* note 244; Rep. Inter-Am. Ct. H.R. 2001, *supra* note 240; Rep. Inter-Am. Ct. H.R. 2002, *supra* note 244; Rep. Inter-Am. Ct. H.R. 2003, *supra* note 244; Rep. Inter-Am. Ct. H.R. 2004, *supra* note 244; Rep. Inter-Am. Ct. H.R. 2005, *supra* note 239; Rep. Inter-Am. Ct. H.R. 2006, *supra* note 239; Rep. Inter-Am. Ct. H.R. 2007, *supra* note 244; Rep. Inter-Am. Ct. H.R. 2008, *supra* note 240.

Castillo Páez/Pe	1997	P.C.	0	7	F. Ramírez/ Gua	2005	P.C.	1	3
Suárez R./Ec	1997	P.C.	1	4	Huilca/Pe	2005	P.C.	0	3
White Van/Gua	1998	Unf.	5	4	García Asto/Pe	2005	P.C.	0	3
Blake/Gu a	1998	P.C.	8	6	Castro Prision/Pe	2006	Unf.	3	8
Benavide s/Ec	1998	P.C.	0	1	Montero/ Ven	2006	Unf.	0	4
Street Chil./Gua	1999	Unf.	0	8	Dismissed E./Pe	2006	Unf.	1	3
Cesti/Pe	1999	P.C.	7	7	Acevedo J./Pe	2006	Unf.	2	1
Caracazo/ Ven	1999	P.C.	1	5	La Cantuta/P e	2006	Unf.	0	2
Bámaca/ Gua	2000	Unf.	12	11	Sawhoyama xa/Par	2006	P.C.	0	7
Cantoral B./Pe	2000	P.C.	0	6	Ituango/C ol	2006	P.C.	0	5
Durand/P e	2000	P.C.	4	2	López Á./Hon	2006	P.C.	3	2
Trujillo/B ol	2000	P.C.	0	5	Vargas A./Par	2006	P.C.	0	4
Baena/Pa n	2001	P.C.	0	11	Goiburú/P ar	2006	P.C.	0	4
B. Altos/Pe	2001	P.C.	0	8	Baldeón/P e	2006	P.C.	0	3
Ivcher/Pe	2001	P.C.	3	5	Pueblo Bello/Col	2006	P.C.	0	3

Constitut. C./Pe	2001	P.C.	3	4	Servellón/ Hon	2006	P.C.	0	3
Palmeras/ Col	2001	P.C.	0	4	Ximenes/ Bra	2006	P.C.	0	3
Hilaire/T &Tob	2002	Unf.	17	2	Almonaci d/Chi	2006	P.C.	0	1
M. Urrutia/G ua	2003	Unf.	0	5	Cantoral H/Pe	2007	Unf.	0	3
M. Mack/Gu a	2003	P.C.	8	6	García P/E Sal	2007	P.C.	7	3
Five pensio./P e	2003	P.C.	0	8	Chaparro/ Ec	2007	P.C.	0	5
J. Sánchez/ Hon	2003	P.C.	1	6	Rochela M/Col	2007	P.C.	2	3
Bulacio/A rg	2003	P.C.	0	2	Saramaka P/Sur	2007	P.C.	1	4
Molina/G ua	2004	Unf.	0	5	Escués/Col	2007	P.C.	0	4
Carpio/G ua	2004	P.C.	15	5	Zambrano /Ec	2007	P.C.	0	4
19 Merch./C ol	2004	P.C.	8	7	Bueno/Ar g	2007	P.C.	1	2
P. Sánchez/ Gua	2004	P.C.	7	7	Boyce/Ba r	2007	P.C.	2	1
De la Cruz/Pe	2004	P.C.	6	4	Tiu Tojín/Gua	2008	Inc.	0	3

Gómez Bros/Pe	2004	P.C.	4	3	Dacosta/B ar	2008	Unf.	2	1
Juvenile reed/Par	2004	P.C.	0	5	Apitz/Ven	2008	Unf.	0	2
Tibi/Ec	2004	P.C.	0	4	Bayarri/A rg	2008	Unf.	0	2
Yatama/N ic	2005	Unf.	0	7	Yvon N/Haiti	2008	Unf.	0	1
Blanco R./Ven	2005	Unf.	0	4	García P./E Sal	2008	P.C.	7	3
Caesar/T & Tob	2005	Unf.	0	2	Torres/Ar g	2008	P.C.	9	0
Raxcacó/Gua	2005	P.C.	8	2	Heliodoro /Pan	2008	P.C.	0	4
Gutiérrez S/Col	2005	P.C.	6	4	V Jaramillo/ Col	2008	P.C.	0	4
Mapiripá n/Col	2005	P.C.	4	4	Ticona/B ol	2008	P.C.	0	2
Serrano/E Sal	2005	P.C.	1	5					

In our view, the worst situations are the following (in order): *El Amparo v. Venezuela* (1995, Unfulfilled), with 7 P.M.; *Caballero Delgado and Santana v. Colombia* (1995, Partial Compliance), with 11 P.M. and 6 M.C.; *Loayza Tamayo v. Peru* (1997, Partial Compliance), with 6 P.M. and 9 M.C.; “*White Van*” (*Paniagua Morales et al.*) *v. Guatemala* (1998, Unfulfilled), with 5 P.M. and 4 M.C.; *Blake v. Guatemala* (1998, Partial Compliance), with 8 P.M. and 6 M.C.; “*Street Children*” (*Villagrán-Morales et al.*) *v. Guatemala* (1999, Unfulfilled), with 8 M.C.; *Cesti Hurtado v. Peru* (1999, Partial Compliance), with 7 P.M. and 7 M.C.; *Bámaca Velásquez v. Guatemala* (2000, Unfulfilled), with 12 P.M. and 11 M.C.; *Baena Ricardo et al. v. Panama* (2001, Partial Compliance), with 11 M.C.; *Hilaire, Constantine and Benjamin et al. v. Trinidad and Tobago* (2002, Unfulfilled), with 17 P.M. and 2 M.C.; *Myrna Mack Chang v. Guatemala* (2003, Partial Compliance) with 8 P.M. and 6 M.C.; *Carpio Nicolle et al. v.*

Guatemala (2004, Partial Compliance), with 15 P.M. and 5 M.C.; *19 Merchants v. Colombia* (2004, Partial Compliance), with 8 P.M. and 7 M.C.; *Plan de Sánchez Massacre v. Guatemala* (2004, Unfulfilled), with 7 P.M. and 7 M.C.; *De la Cruz Flores v. Peru* (2004, Partial Compliance), with 6 MP and 4 M.C.; *Raxcacó Reyes v. Guatemala* (2005, Partial Compliance), with 8 P.M. and 2 M.C.; *Gutiérrez Soler v. Colombia* (2005, Partial Compliance), with 6 P.M. and 4 M.C.; *Miguel Castro Castro Prison v. Peru* (2006, Unfulfilled), with 3 P.M. and 8 M.C.; and *García Prieto et al. v. El Salvador* (2007, Partial Compliance) with 7 P.M. and 3 M.C.²⁵⁰

Finally, almost half of the cases indicated correspond to Guatemala, which explains the reprimands received by the Court in the M.C., *Joint Monitoring Compliance of 11 cases v. Guatemala*^(**) and *12 Guatemalan's Cases v. Guatemala*^(***), already mentioned.²⁵¹

250. See Annex I, *see also Cases in the Supervisory Stage Filed for Compliance*, INTER-AM. CT. H.R., http://www.corteidh.or.cr/cf/jurisprudencia2/casos_en_etapa_de_supervision_archivados_cumplimiento.cfm?lang=es (last visited Feb. 22, 2020); *El Amparo v. Venezuela*, Merits, Inter-Am. Ct. H.R. (ser. C) (Jan. 18, 1995); *Caballero Delgado and Santana v. Colombia*, Merits, Inter-Am. Ct. H.R. (ser. C) (Dec. 8, 1995); *Loayza Tamayo v. Peru*, Merits, Inter-Am. Ct. H.R. (ser. C) (Sept. 17, 1997); “White Van” (*Paniagua Morales et al. v. Guatemala*, Merits, Inter-Am. Ct. H.R. (ser. C) (Mar. 8, 1998); *Blake v. Guatemala*, Merits, Inter-Am. Ct. H.R. (ser. C) (Jan. 24, 1998); “Street Children” (*Villagrán-Morales et al. v. Guatemala*, Merits, Inter-Am. Ct. H.R. (ser. C) (Nov. 19, 1999); *Cesti Hurtado v. Peru*, Merits, Inter-Am. Ct. H.R. (ser. C) (Sept. 29, 1999); *Bámaca Velásquez v. Guatemala*, Merits, Inter-Am. Ct. H.R. (ser. C) (Nov. 25, 2000); *Baena Ricardo et al. v. Panama*, Merits, Reparations, and Costs, Inter-Am. Ct. H.R. (ser. C) (Feb. 2, 2001); *Hilaire, Constantine and Benjamin et al. v. Trinidad and Tobago*, Merits, Reparations, and Costs, Inter-Am. Ct. H.R. (ser. C) (June 21, 2002); *Myrna Mack Chang v. Guatemala*, Merits, Reparations, and Costs, Inter-Am. Ct. H.R. (ser. C) (Nov. 25, 2003); *Carpio Nicolle et al. v. Guatemala*, Merits, Reparations and Costs, Inter-Am. Ct. H.R. (ser. C) (Nov. 22, 2004); *19 Merchants v. Colombia*, Merits, Reparations and Costs, Inter-Am. Ct. H.R. (ser. C) (July 5, 2004); *Plan de Sánchez Massacre v. Guatemala*, Merits, Inter-Am. Ct. H.R. (ser. C) (April 29, 2004); *De la Cruz Flores v. Peru*, Merits, Reparations, and Costs, Inter-Am. Ct. H.R. (ser. C) (Nov. 18, 2004); *Raxcacó Reyes v. Guatemala*, Merits, Reparations, and Costs, Inter-Am. Ct. H.R. (ser. C) (Sept. 15, 2005); *Gutiérrez Soler v. Colombia*, Merits, Reparations, and Costs, Inter-Am. Ct. H.R. (ser. C) (Sept. 12, 2005); *Miguel Castro Castro Prison v. Peru*, Merits, Reparations, and Costs, Inter-Am. Ct. H.R. (ser. C) (Nov. 25, 2006); *García Prieto et al. v. El Salvador*, Preliminary Objections, Merits, Reparations, and Costs, Inter-Am. Ct. H.R. (ser. C) (Nov. 20, 2007).

251. See Annex I; *see also Resolución de la Corte Interamericana de Derechos Humanos, Supervisión de Cumplimiento de Sentencia en 11 Casos contra Guatemala Respecto de la Obligación de Investigar, Juzgar y, de ser el caso, Sancionar a los Responsables de las Violaciones a los Derechos Humanos* [Order of the Interamerican Court of Human Rights, Judgment Compliance Supervision in 11 cases against Guatemala regarding the Obligation to Investigate, Judge, and if applicable, Punish those Responsible for Violations of Human Rights], INTER-AM. CT. H.R. (2014), http://www.corteidh.or.cr/docs/supervisiones/11_Casos_21_08_14.pdf; *Resolución de la Corte Interamericana de Derechos Humanos, 12 Casos Guatemaltecos, Supervisión de Cumplimiento de Sentencias Respecto de la Obligación de Investigar, Juzgar y, de ser el caso, Sancionar a los Responsables de las Violaciones a los Derechos Humanos* [Order of the Inter-American Court of Human Rights, 12 Guatemalan Cases, Monitoring Compliance with Judgments Regarding the Obligation to

VII. CONCLUSIONS

Upon assessing the information and analysis presented here, readers can arrive at their own conclusions depending on their knowledge, interests or perspectives regarding the Inter-American Court and the Inter-American System for the Protection of Human Rights. For this reason, in the present work only those most obvious and objective will be discussed.

The most important and evident is the low level of compliance with the Court's Judgements on Merits, by which only 12.9 percent of cases reach Full Compliance and the majority of cases reach only Partial Compliance (43.4 percent).²⁵² These numbers demonstrate the high level of resistance that exists towards these rulings by the countries that have recognized their competence (the reasons for this were not investigated in this study).²⁵³ We can also conclude that the collaboration of the condemned State is fundamental.²⁵⁴ This is reinforced by considering the high number of P.M. and M.C. issued, with a clear increase of M.C. in recent years.²⁵⁵

All of this, in our opinion, shows a considerable procedural fatigue for the Court, since 79,8 percent of the rulings considered in this study are actually co-adjuvants to Judgements on Merits (Com.J., P.M., M.C.), which reach 20.2 percent of the total, within which only 12,9 percent are fully compliant.²⁵⁶

This figure contrasts sharply with the theoretical manner in which the majority doctrine addresses the degree of influence that the Inter-American System and the Court possess on the protection of human rights within the countries that recognize its jurisdiction.²⁵⁷ This is even more important due to the key role of the Court's work in this process.

An understanding of this is imperative, as anyone who does not know the actual compliance status of the rulings or the studies addressing this issue and is guided only by what is indicated by the majority doctrine, could easily fall into the error of concluding that there is an almost absolute respect and compliance with the rulings of this Court.

This does not necessarily mean that there is no growing influence of the Inter-American System on the countries that comprise it. As has been

Investigate, Judge, and if applicable, Punish those Responsible for Violations of Human Rights] INTER-AM. CT. H.R. (2015), http://www.corteidh.or.cr/docs/supervisiones/12_casos_24_11_15.pdf.

252. See Annex I; see *supra* Table 1 and Table 2; see also, INTER-AM. CT. H.R., <http://www.corteidh.or.cr/index-en.cfm> (last visited Feb. 22, 2020).

253. See Annex I; see *supra* Table 2 and Image 3; see also, INTER-AM. CT. H.R., <http://www.corteidh.or.cr/index-en.cfm> (last visited Feb. 22, 2020).

254. See *supra* Section V.

255. See *supra* note 253.

256. See Annex I; see *supra* Table 1, Table 2, Image 3; see also, INTER-AM. CT. H.R., <http://www.corteidh.or.cr/index-en.cfm> (last visited Feb. 22, 2020)

257. See INTER-AM. CT. H.R., *supra* note 252.

stated, the fulfillment of the Court's judgments is distinct from the effectiveness the International Law may have had on a country's interior in general, which may be due to several factors, and is a topic that has not been addressed in this study. However, what can certainly be concluded after our analysis is that this influence *is not* so much due to the level of compliance with the Court's rulings (the body to which a key role is attributed in this process), but to other factors, within which the doctrine work seems to play a fundamental role.

In fact, this gives the impression that with the theoretical manner in which the doctrine presents the situation, it would implicitly almost be taking for granted a general compliance with the judgments of the Court, especially if one remembers the leading role assigned to it.²⁵⁸ However, we believe that by proceeding in this manner, the doctrine is not indicating what actually happens, but what from its perspective *should happen*, which can lead to confusion.²⁵⁹ This is not to say that the doctrine cannot pose 'ideal' responses to its rulings, but in order to avoid misunderstanding, that should be clearly differentiated from what is actually occurring in practice with the judgments of this court.

The above demonstrates – except in the works specifically devoted to this topic – the almost total omission of data that we consider fundamental: the very low level of Full Compliance in the Judgements on Merits of the Inter-American Court of Human Rights. We believe that if this data were revealed, surely the way of presenting the operation of the Inter-American System of Human Rights would be different.

VIII. ANNEX I

RULED CASES, RELATED STATEMENTS AND PROGRESS STATUS

This Annex provides, in alphabetical order, the 248 cases ruled by the Inter-American Court until the end of 2018 (including the 8 dismissed or denied cases not considered in this study), their compliance statuses and, if any, their Com. J., P.M., M.C. and R.F. (although R.F. were not considered in this work). Each case is represented in a separate table. The upper left-hand box shows, with more marked borders and next to a vignette, the name of the case, its date and the number assigned to it by the Court in its "Series C". Under this box in a slightly smaller one, any Com.J. that may have been issued are mentioned (Preliminary Objections, Reparations and Costs, Compliance with Judgment and Interpretation of all of them). In the upper right-hand corner, the progress status of the case (Full Compliance, Partial Compliance, Unfulfilled and Pending) is listed, and underneath, the number and year of any relevant P.M., M.C. and R.F. are provided. Also, cases where

258. *See supra* Parts V, VI.

259. PASQUALUCCI, *supra* note 44, at 330–34.

various P.M. or M.C. are issued in the same ruling are indicated by one asterisk (*). Two asterisks (**) refer to the cases mentioned in the M.C. *Joint Monitoring Compliance of 11 cases v. Guatemala*, of 2014, and three asterisks (***) refer to the M.C. *12 Guatemalan's Cases v. Guatemala*, 2015. Finally, four asterisks (****) refer to those cases that, due to their notorious non-compliance, have been reported to the General Assembly of the OAS in accordance with the provisions of art. 65 of the American Convention on Human Rights (those that mainly affect Venezuela) and were listed at the end of the “Cases in Supervision Stage” section. Finally, where it was considered necessary, some relevant explanation was added in a footnote.

<ul style="list-style-type: none"> • <i>19 Merchants v. Colombia. Merits, Reparations and Costs.</i> July 5, 2004. Series C N° 109 		PARTIAL COMPLIANCE
- <i>Preliminary Objection.</i> June 12, 2002. Series C N° 93	P.M.: 8	2004, 2006, 2006, 2007, 2007, 2009, 2010, 2012
	M.C.: 7	2006, 2007, 2008, 2009, 2012 ^(*) , 2012, 2016
<ul style="list-style-type: none"> • <i>Abrill Alosilla et al. v. Peru. Merits, Reparations and Costs.</i> March 4, 2011. Series C N° 223 		FULL COMPLIANCE
- <i>Interpretation of the Judgment on Merits, Reparations and Costs.</i> November 21, 2011. Series C N° 235	P.M.: 0	-----
	M.C.: 1	2013
<ul style="list-style-type: none"> • <i>Acevedo Buendía et al. (“Discharged and Retired Employees of the Comptroller”) v. Peru. Preliminary Objection, Merits, Reparations and Costs.</i> July 1, 2009. Series C N° 198 		PARTIAL COMPLIANCE
- <i>Interpretation of the Judgment on the Preliminary Objection, Merits, Reparations and Costs.</i> November 24, 2009. Series C N° 210	P.M.: 0	-----
	M.C.: 2	2011, 2015

<ul style="list-style-type: none"> • <i>Acevedo Jaramillo et al. v. Peru. Preliminary Objections, Merits, Reparations and Costs.</i> February 7, 2006. Series C N° 144 		UNFULFILLED
<ul style="list-style-type: none"> - <i>Interpretation of the Judgment of Preliminary Objections, Merits Reparations and Costs.</i> November 24, 2006. Series C N° 157 	P.M.: 2	2004, 2015
	M.C.: 1	2009
<ul style="list-style-type: none"> • <i>Acosta Calderón v. Ecuador. Merits, Reparations and Costs.</i> June 24, 2005. Series C N° 129 		FULL COMPLIANCE
	P.M.: 0	-----
	M.C.: 1	2008
<ul style="list-style-type: none"> • <i>Acosta et al. v. Nicaragua. Preliminary Objections, Merits, Reparations and Costs.</i> March 25, 2017. Series C No. 334 		PENDING
	P.M.: 0	-----
	M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Afro-descendant communities displaced from the Cacarica River Basin (Operation Genesis) v. Colombia. Preliminary Objections, Merits, Reparations and Costs.</i> November 20, 2013. Series C N° 270 		UNFULFILLED
	P.M.: 1	2013 ²⁶⁰
	M.C.: 1	2016
<ul style="list-style-type: none"> • <i>Albán Cornejo et al. v. Ecuador. Merits, Reparations and Costs.</i> November 22, 2007. Series C N° 171 		FULL COMPLIANCE
<ul style="list-style-type: none"> - <i>Interpretation of the Judgment on Merits, Reparations and Costs.</i> August 5, 2008. Series C N° 183 	P.M.: 0	-----
	M.C.: 4	2009, 2010, 2013, 2015

260. The claim of P.M., denied by the Court, is from May, 2013 and is known as the Case of Ávila Moreno et al. Case of Operation Genesis v. Colombia.

<ul style="list-style-type: none"> • <i>Alfonso Martín del Campo Dodd v. United Mexican States. Preliminary Objections.</i> September 3, 2004. Series C N° 113 		DENIED	
	P.M.: 0	-----	
	M.C.: 0	-----	
<ul style="list-style-type: none"> • <i>Almonacid Arellano et al. v. Chile. Preliminary Objections, Merits, Reparations and Costs.</i> September 26, 2006. Series C N° 154 		PARTIAL COMPLIANCE	
	P.M.: 0	-----	
	M.C.: 1	2010	
<ul style="list-style-type: none"> • <i>Aloeboetoe et al. v. Suriname. Merits.</i> December 4, 1991. Series C N° 11 		FULL COMPLIANCE	
	- <i>Reparations and Costs.</i> September 10, 1993. Series C N° 15	P.M.: 0	-----
		M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Alvarado Espinoza et al. v. México. Merits, Reparations and Costs.</i> November 28, 2018. Series C N° 370 		PENDING	
		P.M.: 0	-----
		M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Amrhein et al. v. Costa Rica. Preliminary Objections, Merits, Reparations and Costs.</i> April 25, 2018. Series C N° 354 		PENDING	
		P.M.: 0	-----
		M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Andrade Salmón v. Bolivia. Merits, Reparations and Costs.</i> December 1, 2016. Series C N° 330 		FULL COMPLIANCE	
		P.M.: 0	-----
		M.C.: 1	2018
<ul style="list-style-type: none"> • <i>Anzualdo-Castro v. Peru. Preliminary Objection, Merits, Reparations and costs.</i> September 22, 2009. Series C N° 202 		UNFULFILLED	
		P.M.: 0	-----
		M.C.: 1	2013

<ul style="list-style-type: none"> • <i>Apitz Barbera et al. ("First Court of Administrative Disputes") v. Venezuela. Preliminary Objection, Merits, Reparations and Costs.</i> August 5, 2008. Series C N° 182 		UNFULFILLED (****)
	P.M.: 0	-----
	M.C.: 2	2009, 2012
<ul style="list-style-type: none"> • <i>Argüelles et al. v. Argentina. Preliminary Objections, Merits and Reparations.</i> November 20, 2014. Series C N° 288 		UNFULFILLED
- <i>Interpretation of the Judgment on Preliminary Objection, Merits, Reparations and Costs.</i> June 23, 2015. Series C N° 294	P.M.: 0	-----
	M.C.: 1	2016
	S.R.: 1	2018
<ul style="list-style-type: none"> • <i>Artavia Murillo et al. ("In vitro fertilization") v. Costa Rica. Preliminary Objections, Merits, Reparations and Costs.</i> November 28, 2012. Series C N° 257 		PARTIAL COMPLIANCE
	P.M.: 1	2014
	M.C.: 1	2016
<ul style="list-style-type: none"> • <i>Atala Riffo and daughters v. Chile. Merits, Reparations and Costs.</i> February 24, 2012. Series C N° 239 		PARTIAL COMPLIANCE
- <i>Request for Interpretation of the Judgment on Merits, Reparations and Costs.</i> November 21, 2012. Series C N° 254	P.M.: 0	-----
	M.C.: 2	2013, 2017
<ul style="list-style-type: none"> • <i>Baena Ricardo et al. v. Panama. Merits, Reparations and Costs.</i> February 2, 2001. Series C N° 72 		PARTIAL COMPLIANCE
- <i>Preliminary Objections.</i> November 18, 1999. Series C N° 61	P.M.: 0	-----
- <i>Competence.</i> November 28, 2003. Series C N° 104	M.C.: 11	2002, 2002, 2003, 2005, 2008, 2008, 2009, 2010, 2011, 2012, 2013

<ul style="list-style-type: none"> • <i>Baldeón García v. Peru. Merits, Reparations and Costs.</i> April 6, 2006. Series C N° 147 	PARTIAL COMPLIANCE
	P.M.: 0
M.C.: 3	2008, 2009, 2016

<ul style="list-style-type: none"> • <i>Bámaca Velásquez v. Guatemala. Merits.</i> November 25, 2000. Series C N° 70 	UNFULFILLED²⁶¹
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261. Despite the State having paid the compensations to which it was condemned in this case (M.C. of 2003), shortcomings reported by the Court in *Joint Monitoring Compliance of 11 cases v. Guatemala* (2014) (***) and *12 Guatemalan's Cases v. Guatemala* (2015) (***), this case is considered Unfulfilled.

In effect, the *Joint Monitoring Compliance of 11 cases v. Guatemala* points out in its operative paragraph No. 1:

That the position taken by Guatemala during the private hearing on Compliance with Judgments held on May 16, 2014 before the plenary of this Court constitutes an act of evident contempt by the State with respect to the compulsory nature of the Judgments issued by this Court, contrary to the international principle of complying with its conventional obligations of good faith and a breach of duty to inform the Court, in the terms set forth in Considering Clauses 5 to 18 of the present resolution.

For its part, *12 Guatemalan's Cases v. Guatemala*, states: "*The Court has assessed that Guatemala changed its contempt attitude (supra Considering 25, 26 & 29) and that, recently, at the end of October 2015, it also submitted a report on fulfillment of the obligation to investigate...*" (paras. 174), "*In none of the cases indicated [outlined in paras. 19], has the Court determined that there is full compliance with obligations to investigate, prosecute and, if appropriate, punish. Only in the Mack Chang case [...] was a partial compliance declared*" (paras. 20).

In this way,

- <i>Reparations and Costs</i> . February 22, 2002. Series C Nº 91	P.M.: 12	1998, 1998, 2001, 2002, 2003, 2003, 2003, 2005, 2008, 2009, 2016, 2018
	M.C.: 11	2003, 2005, 2006, 2007, 2007, 2008, 2008, 2009, 2010, 2014 ^(**) , 2015 ^(***)

With the exception of the Mack Chang case, the criminal proceedings of the cases continue in the criminal investigation stage. Only 5 of these 12 cases [Blake, Mack Chang, Plan de Sánchez Massacre, “Las Dos Erres” Massacre and Carpio Nicolle] have been adopted and judicial decisions have been taken on the determination of criminal responsibility (supra Considering 46, 73, 91, 96 & 108). This is why, in particular, in seven of the cases evaluated here [“White Van” (Paniagua Morales et al.), “Street Children” (Villagrán-Morales et al.), Bámaca Velásquez, Maritza Urrutia, Molina Theissen, Tiu Tojín and ChitayNech et al.], does impunity prevail by the lack of effectiveness of investigations and criminal proceedings and their unjustified delay, and that in the five cases referred to, the investigation and prosecution of other possible perpetrators or the capture of them is pending (paras. 126).

“The Court warns that the investigations of the 12 Cases correspond to events that occurred or began their execution between 1981 and 1999. In this sense, it has been between 18 and 34 years since the serious human rights violations were committed and can currently be found with impunity” (paras. 170). Therefore, *“Based on the aforementioned, the Court concludes that reparation measures relating to the obligation to investigate the facts of the 12 Cases are pending compliance”* (paras. 175).

In addition, apart from these two resolutions and the –often abundant– other P.M. or M.C., which at the time affected the cases to which it refers, one must consider the situation of other cases affecting this country. Thus, in *Fermin Ramírez*, 2005, there was a P.M. (2005) and three M.C. (2006, 2008 and 2008); in *Raxcacó Reyes*, 2005, there were 8 P.M. (2004, 2006, 2006, 2007, 2007, 2008, 2008, 2012) and 2 M.C. (2008, 2008); in *García and family members*, from 2012, one P.M. (2011) and one M.C. (2016); in *Human Rights Defender et al.*, from 2014, two M.C. (2015 and 2016); and in *Veliz Franco et al.*, from 2014, one R.F. (2015) and one M.C. (2016). All of these cases have Partial Compliance. On the other hand, in *Gudiel Álvarez et al. (“Diario Militar”)*, from 2012, there is one M.C. (2014) and in *Río Negro Massacres*, from 2012, one M.C. (2014), both cases considered Unfulfilled. Finally, the cases *Velázquez Paiz et al.*, from 2015, and *Chinchilla Sandoval et al.; Maldonado Ordoñez and members of the village of Chichupac and neighboring communities of the Municipality of Rabinal*, these three from 2016, are Pending.

In light of these facts, and furthermore, keeping in mind that this country has not fully complied with any cause, the general contempt in this situation seems obvious.

• <i>Barbani Duarte et al. v. Uruguay. Merits, Reparations and Costs.</i> October 13, 2011. Series C N° 234		PENDING
- <i>Request for Interpretation of the Judgement on Merits, Reparations and Costs.</i> June 26, 2012. Series C N° 243	P.M.: 0	-----
	M.C.: 0	-----
• <i>Barreto Leiva v. Venezuela. Merits, Reparations and Costs.</i> November 17, 2009. Series C N° 206		UNFULFILLED (****)
	P.M.: 0	-----
	M.C.: 1	2015 ^(*)
• <i>Barrios Altos v. Peru. Merits.</i> Judgment. March 14, 2001. Series C N° 75		PARTIAL COMPLIANCE
- <i>Interpretation of the Judgment of the Merits.</i> September 3, 2001. Series C N° 83	P.M.: 0	-----
- <i>Reparations and Costs.</i> November 30, 2001. Series C N° 87	M.C.: 8	2002, 2003, 2004, 2005, 2008, 2009, 2012, 2018 ^(*)
• <i>Barrios family v. Venezuela. Merits, Reparations and Costs.</i> November 24, 2011. Series C N° 237 ²⁶²		UNFULFILLED
	P.M.: 10	2004, 2005, 2005, 2009, 2010, 2010, 2011, 2011, 2013, 2013
	M.C.: 2 ²⁶³	2015, 2016
	R.F.: 2	2016, 2018
• <i>Bayarri v. Argentina. Preliminary Objection, Merits, Reparations and Costs.</i> October 30, 2008. Series C N° 187		UNFULFILLED
	P.M.: 0	-----
	M.C.: 2	2010, 2012

262. Previously, the *Case of Eloisa Barrios et al. regarding Venezuela* (Systematization, 6, 22).

263. Although in this case three resolutions appear in the list of M.C. of the Court, one of them is in fact a R.F., also containing the same resolution in the corresponding list, therefore having been duplicated.

<ul style="list-style-type: none"> • <i>Benavides Cevallos v. Ecuador. Merits, Reparations and Costs.</i> June 19, 1998. Series C N° 38 		PARTIAL COMPLIANCE	
	P.M.: 0	-----	
	M.C.: 2	2003, 2018	
<ul style="list-style-type: none"> • <i>Blake v. Guatemala. Merits.</i> January 24, 1998. Series C N° 36 		PARTIAL COMPLIANCE ²⁶⁴	
	- <i>Preliminary Objections.</i> July 2, 1996. Series C N° 27	P.M.: 8	1995, 1995, 1997, 2000, 2001, 2003, 2004, 2005
	- <i>Reparations and Costs.</i> January 22, 1999. Series C N° 48		
	- <i>Interpretation of the Judgment of Reparations and Costs.</i> October 1, 1999. Series C N° 57	M.C.: 6	2002, 2003, 2007, 2009, 2014 ^(**) , 2015 ^(***)
<ul style="list-style-type: none"> • <i>Blanco Romero et al v. Venezuela. Merits, Reparations and Costs.</i> November 28, 2005. Series C N° 138 		UNFULFILLED (****)	
	P.M.: 0	-----	
	M.C.: 4	2009, 2009 2011, 2015 ^(*)	
<ul style="list-style-type: none"> • <i>Boyce et al. v. Barbados. Preliminary Objection, Merits, Reparations and Costs.</i> November 20, 2007. Series C N° 169 		PARTIAL COMPLIANCE	
	P.M.: 2	2004 2005	
	M.C.: 1	2011 ^(*)	
	R.F.: 1	2017 ^(*)	
<ul style="list-style-type: none"> • <i>Brewer Carías v. Venezuela. Preliminary Objections.</i> May 26, 2014. Series C N° 278 		DENIED	
	P.M.: 0	-----	
	M.C.: 0	-----	

264. M.C. from 2003. See Annex I, note 261.

<ul style="list-style-type: none"> • <i>Bueno Alves v. Argentina. Merits, Reparations and Costs.</i> May 11, 2007. Series C N° 164 		PARTIAL COMPLIANCE	
	P.M.: 1	2007 ²⁶⁵	
	M.C.: 2	2011, 2018	
<ul style="list-style-type: none"> • <i>Bulacio v. Argentina. Merits, Reparations and Costs.</i> September 18, 2003. Series C N° 100 		PARTIAL COMPLIANCE	
	P.M.: 0	-----	
	M.C.: 2	2004, 2008	
<ul style="list-style-type: none"> • <i>Caballero Delgado and Santana v. Colombia. Merits.</i> December 8, 1995. Series C N° 22 		PARTIAL COMPLIANCE	
	- <i>Preliminary Objections.</i> January 21, 1994. Series C N° 17	P.M.: 11	1994, 1997, 1997, 1997, 1999, 2006, 2007, 2008, 2009, 2010, 2011
	- <i>Reparations and Costs.</i> January 29, 1997. Series C N° 31		
		M.C.: 6	2002, 2003, 2007, 2008, 2009 2012
<ul style="list-style-type: none"> • <i>Cabrera García and Montiel Flores v. Mexico. Preliminary Objection, Merits, Reparations, and Costs.</i> November 26, 2010. Series C N° 220 		PARTIAL COMPLIANCE	
		P.M.: 0	-----
		M.C.: 2	2013, 2015
<ul style="list-style-type: none"> • <i>Caesar v. Trinidad and Tobago. Merits, Reparations and Costs.</i> March 11, 2005. Series C N° 123 		UNFULFILLED (****)	
		P.M.: 0	-----
		M.C.: 2	2007, 2015 ^(*)

265. The P.M. is from February 2, 2007.

<ul style="list-style-type: none"> • <i>Canales Huapaya et al. v. Peru. Preliminary Objections, Merits, Reparations and Costs.</i> June 24, 2015. Series C N° 296 		PENDING
<ul style="list-style-type: none"> - <i>Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs.</i> November 21, 2016. Series C N° 321 	P.M.: 0	-----
	M.C.: 0	-----
	R.F.: 1	2017 ^(*)
<ul style="list-style-type: none"> • <i>Cantoral Benavides v. Peru. Merits.</i> August 18, 2000. Series C N° 69 		PARTIAL COMPLIANCE
<ul style="list-style-type: none"> - <i>Preliminary Objections.</i> September 3, 1998. Series C N° 40 	P.M.: 0	-----
<ul style="list-style-type: none"> - <i>Reparations and Costs.</i> December 3, 2001. Series C N° 88 	M.C.: 6	2003, 2004, 2007, 2008, 2009, 2010
<ul style="list-style-type: none"> • <i>Cantoral Huamani and García Santa Cruz v. Peru. Preliminary Objection, Merits, Reparations and Costs.</i> July 10, 2007. Series C N° 167 		UNFULFILLED
<ul style="list-style-type: none"> - <i>Interpretation of the Judgment on Preliminary Objection, Merits, Reparations and Costs.</i> January 28, 2008. Series C N° 176 	P.M.: 0	-----
	M.C.: 3	2009, 2009, 2011
<ul style="list-style-type: none"> • <i>Cantos v. Argentina. Merits, Reparations and Costs.</i> November 28, 2002. Series C N° 97 		FULL COMPLIANCE
<ul style="list-style-type: none"> - <i>Preliminary Objections.</i> September 7, 2001. Series C N° 85 	P.M.: 0	-----
	M.C.: 5	2005, 2007, 2009, 2010, 2017
<ul style="list-style-type: none"> • <i>Caracazo v. Venezuela. Merits.</i> November 11, 1999. Series C N° 58 		PARTIAL COMPLIANCE
<ul style="list-style-type: none"> - <i>Reparations and Costs.</i> August 29, 2002. Series C N° 95 	P.M.: 1	2010
	M.C.: 5	2004, 2009, 2009, 2009, 2018

<ul style="list-style-type: none"> • <i>Carpio Nicolle et al. v. Guatemala. Merits, Reparations and Costs.</i> November 22, 2004. Series C N° 117 		PARTIAL COMPLIANCE ²⁶⁶
	P.M.: 15	1995, 1995, 1995, 1996, 1996, 1997, 1998, 1998, 1999, 2001, 2001, 2004, 2008, 2009, 2012
	M.C.: 5	2007, 2008, 2009, 2014 ^(**) , 2015 ^(***)
<ul style="list-style-type: none"> • <i>Carvajal Carvajal et al. v. Colombia. Merits, Reparations and Costs.</i> March 13, 2018. Series C N° 352 		PENDING
<ul style="list-style-type: none"> - <i>Interpretation of the Judgment on Merits, Reparations and Costs.</i> November 21, 2018. Series C N° 365 	P.M.: 0	-----
	M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Castañeda Gutman v. México. Preliminary Objections, Merits, Reparations, and Costs.</i> August 6, 2008. Series C N° 184 		FULL COMPLIANCE
	P.M.: 1	2005
	M.C.: 3	2009, 2012, 2013
<ul style="list-style-type: none"> • <i>Castillo González et al. v. Venezuela. Merits.</i> November 27, 2012. Series C N° 256 		DENIED
	P.M.: 0	-----
	M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Castillo Páez v. Peru. Merits.</i> November 3, 1997. Series C N° 34 		PARTIAL COMPLIANCE
<ul style="list-style-type: none"> - <i>Preliminary Objections.</i> January 30, 1996. Series C N° 24 	P.M.: 0	-----
<ul style="list-style-type: none"> - <i>Reparations and Costs.</i> November 27, 1998. Series C N° 43 	M.C.: 7	2001 ^(*) , 2002, 2003, 2004, 2009, 2011, 2013

266. M.C. from 2009 and M.C. from 2007. See Annex I, note 261.

<ul style="list-style-type: none"> • <i>Castillo Petruzzi et al. v. Peru. Merits, Reparations and Costs.</i> May 30, 1999. Series C N° 52 		FULL COMPLIANCE
- <i>Preliminary Objections.</i> September 4, 1998. Series C N° 41	P.M.: 0	-----
- <i>Compliance with Judgment.</i> November 17, 1999. Series C N°59	M.C.: 3	2001 ^(*) , 2011, 2016

<ul style="list-style-type: none"> • <i>Cayara v. Peru. Preliminary Objections.</i> February 3, 1993. Series C N° 14 		DENIED
	P.M.: 0	-----
	M.C.: 0	-----

<ul style="list-style-type: none"> • <i>Cesti Hurtado v. Peru. Merits.</i> September 29, 1999. Series C N° 56 		PARTIAL COMPLIANCE
- <i>Preliminary Objections.</i> January 26, 1999. Series C N° 49	P.M.: 7	1997, 1997, 1998, 1999, 1999, 2000, 2005
- <i>Request for Interpretation of the Judgement on Merits.</i> November 19, 1999. Series C N° 62	M.C.: 7	1999, 2004, 2006, 2008, 2009, 2010, 2013
- <i>Interpretation of the Judgement on Merits.</i> January 29, 2000. Series C N° 65		
- <i>Reparations and Costs.</i> May 31, 2001. Series C N° 78		
- <i>Interpretation of the Judgment of Reparations and Costs.</i> November 27, 2001. Series C N° 86		

<ul style="list-style-type: none"> • <i>Chaparro Álvarez and Lapo Ñiñez. v. Ecuador. Preliminary Objections, Merits, Reparations and Costs.</i> November 21, 2007. Series C N° 170 		PARTIAL COMPLIANCE
- <i>Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs.</i> November 26, 2008. Series C N° 189	P.M.: 0	-----
	M.C.: 5	2009, 2010, 2011, 2015, 2016

<ul style="list-style-type: none"> • <i>Chinchilla Sandoval et al. v. Guatemala. Preliminary Objection, Merits, Reparations and Costs.</i> February 29, 2016. Series C N° 312 	PENDING
	P.M.: 0 -----
	M.C.: 0 -----
	R.F.: 1 2018
<ul style="list-style-type: none"> • <i>Chitay Nech et al. v. Guatemala. Preliminary Objections, Merits, Reparations, and Costs.</i> May 25, 2010. Series C N° 212 	UNFULFILLED ²⁶⁷
	P.M.: 0 -----
	M.C.: 4 2011, 2013, 2014 ^(**) , 2015 ^(***)
<ul style="list-style-type: none"> • <i>Chocrón - Chocrón v. Venezuela. Preliminary Objection, Merits, Reparations, and Costs.</i> July 1, 2011. Series C N° 227 	UNFULFILLED
	P.M.: 0 -----
	M.C.: 2 2015 ^(*) , 2016 ^(*)
<ul style="list-style-type: none"> • <i>Claude Reyes et al. v. Chile. Merits, Reparations and Costs.</i> September 19, 2006. Series C N° 151 	FULL COMPLIANCE
	P.M.: 0 -----
	M.C.: 3 2008, 2008, 2008
<ul style="list-style-type: none"> • <i>Coc Max et al. (Massacre of Xamán) v. Guatemala. Merits, Reparations and Costs.</i> August 22, 2018. Series C N° 356 	PENDING
	P.M.: 1 2018
	M.C.: 0 -----

267. Despite the State having paid the compensations (M.C. from 2011), in light of the serious misconducts that the Court denounced in *Joint Monitoring Compliance of 11 cases v. Guatemala* (2014) ^(**) and *12 Guatemalan's Cases v. Guatemala* (2015) ^(***), this case is considered to be Unfulfilled. See Annex I, note 261.

<ul style="list-style-type: none"> • <i>Community Garifuna Triunfo de la Cruz & itsmembers v. Honduras. Merits, Reparations and Costs.</i> October 8, 2015. Series C N° 305 		PENDING	
	P.M.: 1	2014 ²⁶⁸	
	M.C.: 0 ²⁶⁹	-----	
	R.F.: 1	2016 ^(*)	
<ul style="list-style-type: none"> • <i>Constitutional Court v. Peru. Merits, Reparations and Costs.</i> January 31, 2001. Series C N° 71 		PARTIAL COMPLIANCE	
	- <i>Competence.</i> September 24, 1999. Series C N° 55	P.M.: 3	2000, 2000, 2001
		M.C.: 4	2001 ^(*) , 2004, 2006, 2008
<ul style="list-style-type: none"> • <i>Constitutional Tribunal (Camba Campos et al.) v. Ecuador. Preliminary Objections, Merits, Reparations and Costs.</i> August 28, 2013. Series C N° 268 		FULL COMPLIANCE	
		P.M.: 0	-----
		M.C.: 1	2016
<ul style="list-style-type: none"> • <i>Contreras et al. v. El Salvador. Merits, Reparations and Costs.</i> August 31, 2011. Series C N° 232 		PARTIAL COMPLIANCE	
		P.M.: 0	-----
		M.C.: 2	2013, 2016
	R.F.: 1	2013 ²⁷⁰	
<ul style="list-style-type: none"> • <i>Cruz Sánchez et al. v. Peru. Preliminary Objections, Merits, Reparations and Costs.</i> April 17, 2015. Series C N° 292 		PENDING	
		P.M.: 0	-----
		M.C.: 0	-----
	R.F.: 1	2017 ^(*)	

268. The denied P.M. was called *Matter of Garifuna Comunity of Barra Vieja regarding Honduras*.

269. Although this case also appears in the list of M.C. of the Court, it is in fact an R.F., on the list in which the same resolution appears. It is therefore a duplicate resolution.

270. The Court issued on May 14, 2013, an M.C. and an R.F. In the first, it only recognizes a partial fulfillment of the obligations imposed on the State and in the second, a full retribution.

<ul style="list-style-type: none"> • <i>Cuscul Pivaral et al. v. Guatemala. Preliminary Objection, Merits, Reparations and Costs.</i> August 23, 2018. Series C N° 359 	PENDING		
	P.M.: 0	-----	
	M.C.: 0	-----	
<ul style="list-style-type: none"> • <i>Dacosta Cadogan v. Barbados. Preliminary Objections, Merits, Reparations, and Costs.</i> September 24, 2009. Series C N° 204 	UNFULFILLED		
	P.M.: 2	2008, 2008	
	M.C.: 1	2011 ^(*)	
	R.F.: 1	2017 ^(*)	
<ul style="list-style-type: none"> • <i>De La Cruz Flores v. Peru. Merits, Reparations and Costs.</i> November 18, 2004. Series C N° 115 	PARTIAL COMPLIANCE		
	P.M.: 6	2009, 2010, 2011, 2012, 2012, 2016	
	M.C.: 4	2007, 2009, 2010, 2015	
<ul style="list-style-type: none"> • <i>Díaz-Peña v. Venezuela. Preliminary Objection, Merits, Reparations, and Costs.</i> June 26, 2012. Series C N° 244 	UNFULFILLED		
	P.M.: 0	-----	
	M.C.: 2	2015 ^(*) , 2016 ^(*)	
<ul style="list-style-type: none"> • <i>Dismissed Congressional Employees (Aguado - Alfaro et al.) v. Peru. Preliminary Objections, Merits, Reparations and Costs.</i> November 24, 2006. Series C N° 158 	UNFULFILLED		
	- <i>Request for Interpretation of the Judgment on Preliminary Objection, Merits, Reparations and Costs.</i> November 30, 2007. Series C N° 174	P.M.: 1	2010
		M.C.: 3	2009, 2009, 2010

<ul style="list-style-type: none"> • <i>Dismissed Employees of Petroperú et al. v. Peru. Preliminary Objections, Merits, Reparations and Costs.</i> November 23, 2017. Series C No. 344 		UNFULFILLED
<ul style="list-style-type: none"> - <i>Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs.</i> August 22, 2018. Series C N° 358 	P.M.: 0	-----
	M.C.: 1	2018
<ul style="list-style-type: none"> • <i>Duque v. Colombia. Preliminary Objections, Merits, Reparations and Costs.</i> February 26, 2016. Series C N° 310 		UNFULFILLED
<ul style="list-style-type: none"> - <i>Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs.</i> November 21, 2016. Series C N° 322 	P.M.: 0	-----
	M.C.: 1	2018
	R.F.: 1	2016 ²⁷¹
<ul style="list-style-type: none"> • <i>Durand and Ugarte v. Peru. Merits.</i> August 16, 2000. Series C N° 68 		PARTIAL COMPLIANCE
<ul style="list-style-type: none"> - <i>Preliminary Objections.</i> May 28, 1999. Series C N° 50 	P.M.: 4	2017, 2018, 2018, 2018
<ul style="list-style-type: none"> - <i>Reparations and Costs.</i> December 3, 2001. Series C N° 89 	M.C.: 2	2002, 2008
<ul style="list-style-type: none"> • <i>El Amparo v. Venezuela. Merits.</i> January 18, 1995. Series C N° 19 		UNFULFILLED (****)
<ul style="list-style-type: none"> - <i>Reparations and Costs.</i> September 14, 1996. Series C N° 28 	P.M.: 0	-----
<ul style="list-style-type: none"> - <i>Interpretation of the Judgment of Reparations and Costs.</i> April 16, 1997. Series C N° 46 	M.C.: 7	2002, 2006, 2009, 2010, 2012, 2015 ^(*) , 2018
<ul style="list-style-type: none"> • <i>Escaleras Mejía et al. v. Honduras.</i> September 26, 2018. Series C N° 361 		PENDING
	P.M.: 0	-----
	M.C.: 0	-----

271. Although this case also appears in the list of M.C. of the Court, in fact it is a R.F., on the list in which the same resolution appears. It is therefore a duplicate resolution.

<ul style="list-style-type: none"> • <i>Escher et al. v. Brazil. Preliminary Objections, Merits, Reparations, and Costs.</i> July 6, 2009. Series C N° 200 		FULL COMPLIANCE
<ul style="list-style-type: none"> - <i>Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs.</i> November 20, 2009. Series C N° 208 	P.M.: 0	-----
	M.C.: 2	2010, 2012
<ul style="list-style-type: none"> • <i>Escué Zapata v. Colombia. Merits, Reparations and Costs.</i> July 4, 2007. Series C N° 165 		PARTIAL COMPLIANCE
<ul style="list-style-type: none"> - <i>Interpretation of the Judgment on Merits, Reparations and Costs.</i> May 5, 2008. Series C N° 178 	P.M.: 0	-----
	M.C.: 4	2010, 2011, 2012 ^(*) , 2016
<ul style="list-style-type: none"> • <i>Espinoza Gonzáles v. Peru. Preliminary Objections, Merits, Reparations and Costs.</i> November 20, 2014. Series C N° 289 		PENDING
<ul style="list-style-type: none"> - <i>Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs.</i> June 23, 2015. Series C N° 295 	P.M.: 0	-----
	M.C.: 0	-----
	R.F.: 1	2017 ^(*)
<ul style="list-style-type: none"> • <i>Expelled Dominicans and Haitians v. Dominican Republic. Preliminary Objections, Merits, Reparations and Costs.</i> August 28, 2014. Series C N° 282²⁷² 		PENDING
	P.M.: 10	2000, 2000, 2000, 2000, 2001, 2006, 2009, 2011, 2012, 2012
	M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Fairén Garbi and Solís Corrales v. Honduras. Merits.</i> March 15, 1989. Series C N° 6 		DENIED
<ul style="list-style-type: none"> - <i>Preliminary Objections.</i> June 26, 1987. Series C N° 2 	P.M.: 0	-----
	M.C.: 0	-----

272. Previously the *Matter of Haitians and Dominicans of Haitian-origin in the Dominican Republic regarding Dominican Republic (Systematization, 8)*.

<ul style="list-style-type: none"> • <i>Favela Nova Brasília v. Brazil. Preliminary Objections, Merits, Reparations and Costs.</i> February 16, 2017. Series C No. 333 		PENDING
<ul style="list-style-type: none"> - <i>Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs.</i> February 5, 2018. Series C N° 345 	P.M.: 0	-----
	M.C.: 0	-----
	R.F.: 1	2018
<ul style="list-style-type: none"> • <i>Fermín Ramírez v. Guatemala. Merits, Reparations and Costs.</i> June 20, 2005. Series C N° 126 		PARTIAL COMPLIANCE
	P.M.: 1	2005
	M.C.: 3	2006, 2008, 2008 ^(*)
<ul style="list-style-type: none"> • <i>Fernández Ortega et al. v. Mexico. Preliminary Objection, Merits, Reparations, and Costs.</i> August 30, 2010. Series C N° 215²⁷³ 		PARTIAL COMPLIANCE
<ul style="list-style-type: none"> - <i>Interpretation of Judgment of Preliminary Objection, Merits, Reparations and Costs.</i> May 15, 2011. Series C N° 224 	P.M.: 8	2009, 2009, 2009, 2010, 2011, 2012, 2016, 2017
	M.C.: 3	2010, 2014 ^(*) , 2015 ^(*)
<ul style="list-style-type: none"> • <i>“Five Pensioners” v. Peru. Merits, Reparations and Costs.</i> February 28, 2003. Series C N° 98 		PARTIAL COMPLIANCE
	P.M.: 0	-----
	M.C.: 8	2004, 2005, 2006, 2008, 2009, 2011, 2016, 2018
<ul style="list-style-type: none"> • <i>Flor Freire v. Ecuador. Preliminary Objection, Merits, Reparations and Costs.</i> August 31, 2016. Series C N° 315 		PENDING
	P.M.: 0	-----
	M.C.: 0	-----

273. Previously the *Matter of Fernández Ortega et al regarding Mexico (Systematization, 9, 15, 20, 26, 32, 35)*.

<ul style="list-style-type: none"> • <i>Fontevicchia and D'Amico v. Argentina. Merits, Reparations and Costs.</i> November 29, 2011. Series C N° 238 		UNFULFILLED 274	
	P.M.: 0	-----	
	M.C.: 3	2015, 2016, 2017	
<ul style="list-style-type: none"> • <i>Forneron and daughter v. Argentina. Merits, Reparations and Costs.</i> April 27, 2012. Series C N° 242 		PARTIAL COMPLIANCE	
	P.M.: 0	-----	
	M.C.: 1	2018 ²⁷⁵	
	R.F.: 1	2015 ^(*)	
<ul style="list-style-type: none"> • <i>Furlan and Family v. Argentina. Preliminary Objections, Merits, Reparations and Costs.</i> August 31, 2012. Series C N° 246 		PARTIAL COMPLIANCE	
	P.M.: 0	-----	
	M.C.: 1	2018	
	R.F.: 2	2015 ^(*) , 2018	
<ul style="list-style-type: none"> • <i>Galindo Cárdenas et al. v. Peru. Preliminary Objections, Merits, Reparations and Costs.</i> October 2, 2015. Series C N° 301 		PENDING	
	- <i>Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs.</i> November 21, 2016. Series C N° 323	P.M.: 3	2014, 2018, 2018
		M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Gangaram Panday v. Suriname. Merits, Reparations and Costs.</i> January 21, 1994. Series C N° 16 		FULL COMPLIANCE	
	- <i>Preliminary Objections.</i> December 4, 1991. Series C N° 12	P.M.: 0	-----
	M.C.: 0	-----	

274. According to the M.C. of 2016 (Operative Paragraph No. 1), until that date, Argentina had only made the publication of the Judgment and an official summary of it. See M.C. of 2017, ¶ 35–37, 40–42, and Operative Paragraph No. 3.

275. Both the M.C. and the second R.F. are in the same resolution.

<ul style="list-style-type: none"> • <i>García and family members v. Guatemala. Merits, Reparations and Costs.</i> November 29, 2012. Series C N° 258²⁷⁶ 		PARTIAL COMPLIANCE
	P.M.: 1	2011
	M.C.: 1	2016
<ul style="list-style-type: none"> • <i>García Asto and Ramírez Rojas v. Peru. Preliminary Objection, Merits, Reparations and Costs.</i> November 25, 2005. Series C N° 137 		PARTIAL COMPLIANCE
	P.M.: 0	-----
	M.C.: 3	2007, 2011, 2013
<ul style="list-style-type: none"> • <i>García Cruz and Sánchez Silvestre v. Mexico. Merits, Reparations and Costs.</i> November 26, 2013. Series C N° 273 		PARTIAL COMPLIANCE
	P.M.: 0	-----
	M.C.: 2	2016, 2018
<ul style="list-style-type: none"> • <i>García Ibarra et al. v. Ecuador. Preliminary Objections, Merits, Reparations and Costs.</i> November 17, 2015. Series C N° 306 		FULL COMPLIANCE
	P.M.: 0	-----
	M.C.: 1	2017
<ul style="list-style-type: none"> • <i>García Lucero et al. v. Chile. Preliminary Objection, Merits and Reparations.</i> August 28, 2013. Series C N° 267 		PARTIAL COMPLIANCE
	P.M.: 0	-----
	M.C.: 1	2015
<ul style="list-style-type: none"> • <i>García Prieto et al. v. El Salvador. Preliminary Objections, Merits, Reparations, and Costs.</i> November 20, 2007. Series C N° 168 		PARTIAL COMPLIANCE
	- <i>Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs.</i> November 24, 2008. Series C N° 188	P.M.: 7
	M.C.: 3	2009, 2010, 2010

276. Previously the *Case of García and family regarding Guatemala (Systematization, 27)*.

<ul style="list-style-type: none"> • <i>Garibaldi v. Brazil. Preliminary Objections, Merits, Reparations, and Costs.</i> September 23, 2009. Series C N° 203 		PARTIAL COMPLIANCE	
	P.M.: 0	-----	
	M.C.: 3	2011, 2012, 2017	
<ul style="list-style-type: none"> • <i>Garífuna Punta Piedra Community and its members v. Honduras. Preliminary Objections, Merits, Reparations and Costs.</i> October 8, 2015. Series C N° 304 		PENDING	
	P.M.: 1	2014	
	M.C.: 0 ²⁷⁷	-----	
	R.F.: 1	2016 ^(*)	
<ul style="list-style-type: none"> • <i>Garrido and Baigorria v. Argentina. Merits.</i> February 2, 1996. Series C N° 26 		PARTIAL COMPLIANCE	
	- <i>Reparations and Costs.</i> August 27, 1998. Series C N° 39	P.M.: 0 M.C.: 2	----- 2004, 2007
<ul style="list-style-type: none"> • <i>Gelman v. Uruguay. Merits and Reparations.</i> February 24, 2011. Series C N° 221 		PARTIAL COMPLIANCE	
		P.M.: 0 M.C.: 1	----- 2013
<ul style="list-style-type: none"> • <i>Genie Lacayo v. Nicaragua. Merits, Reparations and Costs.</i> January 29, 1997. Series C N° 30 		FULL COMPLIANCE	
	- <i>Preliminary Objections.</i> January 27, 1995. Series C N° 21	P.M.: 0 M.C.: 0	----- -----
	- <i>Application for Judicial Review of the Judgement on Merits, Reparations and Costs.</i> September 13, 1997. Series C N° 45		

277. Although this case also appears in the list of M.C. of the Court, in fact it is a R.F., on the list in which the same resolution appears. It is therefore a duplicate resolution.

<ul style="list-style-type: none"> • <i>Girls Yean and Bosico v. Dominican Republic. Preliminary Objections, Merits, Reparations and Costs.</i> September 8, 2005. Series C N° 130 		PARTIAL COMPLIANCE
<ul style="list-style-type: none"> - <i>Interpretation of the Judgment of Preliminary Objections, Merits Reparations and Costs.</i> November 23, 2006. Series C N° 156 	P.M.: 0	-----
	M.C.: 4	2007, 2009, 2010, 2011
<ul style="list-style-type: none"> • <i>Godínez Cruz v. Honduras. Merits.</i> January 20, 1989. Series C N° 5 		FULL COMPLIANCE
<ul style="list-style-type: none"> - <i>Preliminary Objections.</i> June 26, 1987. Series C N° 3 	P.M.: 0	-----
<ul style="list-style-type: none"> - <i>Reparations and Costs.</i> July 21, 1989. Series C N° 8 	M.C.: 1	1996
<ul style="list-style-type: none"> - <i>Interpretation of the Judgment of Reparations and Costs.</i> August 17, 1990. Series C N° 10 		
<ul style="list-style-type: none"> • <i>Goiburú et al. v. Paraguay. Merits, Reparations and Costs.</i> September 22, 2006. Series C N° 153 		PARTIAL COMPLIANCE
	P.M.: 0	-----
	M.C.: 4	2008, 2009, 2009, 2017
<ul style="list-style-type: none"> • <i>Gomes Lund et al. (“Guerrilha do Araguaia”) v. Brazil. Preliminary Objections, Merits, Reparations, and Costs.</i> November 24, 2010. Series C N° 219 		PARTIAL COMPLIANCE
	P.M.: 1	2009
	M.C.: 1	2014
<ul style="list-style-type: none"> • <i>Gómez Murillo et al. v. Costa Rica.</i> November 29, 2016. Series C N° 326 		PENDING
	P.M.: 0	-----
	M.C.: 0	-----

<ul style="list-style-type: none"> • <i>Gómez Palomino v. Peru. Merits, Reparations and Costs.</i> November 22, 2005. Series C N° 136 		PARTIAL COMPLIANCE
	P.M.: 0	-----
	M.C.: 5	2007, 2009, 2010, 2011, 2013
<ul style="list-style-type: none"> • <i>Gómez Paquiyauri Brothers v. Peru. Merits, Reparations and Costs.</i> July 8, 2004. Series C N° 110 		PARTIAL COMPLIANCE
	P.M.: 4	2004, 2006, 2008, 2009
	M.C.: 3	2005, 2006, 2008
<ul style="list-style-type: none"> • <i>Gonzales Lluy et al. v. Ecuador. Preliminary Objections, Merits, Reparations and Costs.</i> September 1, 2015. Series C N° 298 		PARTIAL COMPLIANCE
	P.M.: 1	2015
	M.C.: 1	2018
<ul style="list-style-type: none"> • <i>González et al. ("Cotton Field") v. Mexico. Preliminary Objection, Merits, Reparations and Costs.</i> November 16, 2009. Series C N° 205²⁷⁸ 		PARTIAL COMPLIANCE
	P.M.: 3	2009, 2009, 2011
	M.C.: 1	2013
<ul style="list-style-type: none"> • <i>Gonzalez Medina and family v. Dominican Republic. Preliminary Objections, Merits, Reparations and Costs.</i> February 27, 2012. Series C N° 240 		PENDING
	P.M.: 2	2011, 2012 ²⁷⁹
	M.C.: 0	-----

278. Previously the *Matter of Pérez Torres et al. ("Campo Algodonero") regarding Mexico (Systematization, 7)*.

279. The P.M. is from July 21, 2012 and from it, the measures that were issued in 2011 were suspended.

<ul style="list-style-type: none"> • <i>Grande v. Argentina. Preliminary Objections and Merits.</i> August 31, 2011. Series C N° 231 		DENIED
	P.M.: 0	-----
	M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Granier et al. (Radio Caracas Television) v. Venezuela. Preliminary Objections, Merits, Reparations and Costs.</i> June 22, 2015. Series C N° 293 		PENDING
	P.M.: 0	-----
	M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Gudiel Álvarez et al. (“Diario Militar”) v. Guatemala. Merits, Reparations and Costs.</i> November 20, 2012. Series C N° 253 		UNFULFILLED
	- <i>Interpretation of the Judgment on Merits, Reparations and Costs.</i> August 19, 2013. Series C N° 262	P.M.: 0 M.C.: 1
<ul style="list-style-type: none"> • <i>Gutiérrez and Family v. Argentina. Merits, Reparations and Costs.</i> November 25, 2013. Series C N° 271 		PENDING
	P.M.: 0	-----
	M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Gutiérrez Hernández et al v. Guatemala. Preliminary Objections, Merits, Reparations and Costs.</i> August 24, 2017. Series C No. 339 		PARTIAL COMPLIANCE
	- <i>Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs.</i> August 22, 2018. Series C N° 357	P.M.: 0 M.C.: 1
<ul style="list-style-type: none"> • <i>Gutiérrez Soler v. Colombia. Merits, Reparations and Costs.</i> September 12, 2005. Series C N° 132 		PARTIAL COMPLIANCE
	P.M.: 6	2005, 2007, 2009, 2011, 2012, 2017
	M.C.: 4	2008, 2008, 2009, 2012 ^(*)

<ul style="list-style-type: none"> • <i>Hacienda Brasil Verde Workers v. Brazil. Preliminary Objections, Merits, Reparations and Costs.</i> October 20, 2016. Series C N° 318 		PENDING
<ul style="list-style-type: none"> - <i>Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs.</i> August 22, 2017. Series C No. 337 	P.M.: 0	-----
	M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Heliodoro-Portugal v. Panama. Preliminary Objections, Merits, Reparations, and Costs.</i> August 12, 2008. Series C N° 186 		PARTIAL COMPLIANCE
	P.M.: 0	-----
	M.C.: 4	2010, 2010, 2012, 2017
<ul style="list-style-type: none"> • <i>Herrera Espinoza et al. v. Ecuador. Preliminary Objections, Merits, Reparations and Costs.</i> September 1, 2016. Series C N° 316 		PENDING
	P.M.: 0	-----
	M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Herrera Ulloa v. Costa Rica. Preliminary Objections, Merits, Reparations and Costs.</i> July 2, 2004. Series C N° 107 		FULL COMPLIANCE
	P.M.: 6	2001, 2001, 2001, 2001, 2001, 2002
	M.C.: 5	2005, 2006, 2009, 2009, 2010
<ul style="list-style-type: none"> • <i>Herzog et al. v. Brazil. Preliminary Objections, Merits, Reparations and Costs.</i> March 15, 2018. Series C N° 353 		PENDING
	P.M.: 0	-----
	M.C.: 0	-----

<ul style="list-style-type: none"> • <i>Hilaire, Constantine and Benjamin et al. v. Trinidad and Tobago. Merits, Reparations and Costs.</i> June 21, 2002. Series C N° 94²⁸⁰ 		UNFULFILLED (****)
- <i>Hilaire v. Trinidad and Tobago. Preliminary Objections.</i> September 1, 2001. Series C N° 80	P.M.: 17	1998, 1998, 1998, 1998, 1998, 1998, 1999, 1999, 1999, 1999, 2000, 2000, 2001, 2002, 2003, 2005, 2009
- <i>Benjamin et al. v. Trinidad and Tobago. Preliminary Objections.</i> September 1, 2001. Series C N° 81		
- <i>Constantine et al. v. Trinidad and Tobago. Preliminary Objections.</i> September 1, 2001. Series C N° 82	M.C.: 2	2003, 2015 ^(*)
<ul style="list-style-type: none"> • <i>Huilca Tecse v. Peru. Merits, Reparations and Costs.</i> March 3, 2005. Series C N° 121 		PARTIAL COMPLIANCE
	P.M.: 0	-----
	M.C.: 3	2006, 2008, 2013
<ul style="list-style-type: none"> • <i>Human Rights Defender et al. v. Guatemala. Preliminary Objections, Merits, Reparations and Costs.</i> August 28, 2014. Series C N° 283 		PARTIAL COMPLIANCE
	P.M.: 0	-----
	M.C.: 4	2015, 2016, 2016, 2017
<ul style="list-style-type: none"> • <i>I.V. v. Bolivia. Preliminary Objections, Merits, Reparations and Costs.</i> November 30, 2016. Series C N° 329 		PARTIAL COMPLIANCE
- <i>Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs.</i> May 25, 2017. Series C No. 336	P.M.: 1	2017
	M.C.: 2	2017, 2018
<ul style="list-style-type: none"> • <i>Ibsen Cárdenas and Ibsen-Peña v. Bolivia. Merits, Reparation and Costs.</i> September 1, 2010. Series C N° 217 		PARTIAL COMPLIANCE
	P.M.: 1	2014
	M.C.: 1	2013

280. Previously the *Matter of James et al regarding Trinidad and Tobago (Systematization, 5, 21, 24, 26, 30)*. Subsequently, the cases were accumulated, as they were analogous situations that affected all of the petitioners (32 people), although the Com.J. were originally processed as independent cases.

<ul style="list-style-type: none"> • <i>Isaza Uribe et al. v. Colombia. Merits, Reparations and Costs.</i> November 20, 2018. Series C N° 363 		PENDING
	P.M.: 0	-----
	M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Ituango Massacres v. Colombia. Preliminary Objection, Merits, Reparations and Costs.</i> July 1, 2006. Series C N° 148 		PARTIAL COMPLIANCE
	P.M.: 0	-----
	M.C.: 5	2009, 2010, 2011, 2012 ^(*) , 2013
<ul style="list-style-type: none"> • <i>Ivcher Bronstein v. Peru. Merits, Reparations and Costs.</i> February 6, 2001. Series C N° 74 		PARTIAL COMPLIANCE
- <i>Competence.</i> September 24, 1999. Series C N° 54	P.M.: 3	2000, 2000, 2001
- <i>Interpretation of the Judgment of the Merits.</i> September 4, 2001. Series C N° 84	M.C.: 5	2001 ^(*) , 2005, 2009, 2009, 2010
<ul style="list-style-type: none"> • <i>J. v. Peru. Preliminary Objection, Merits, Reparations and Costs.</i> November 27, 2013. Series C N° 275 		PENDING
- <i>Interpretation of the Judgment on Preliminary Objection, Merits Reparations and Costs.</i> November 20, 2014. Series C N° 291	P.M.: 0	-----
	M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Juan Humberto Sánchez v. Honduras. Preliminary Objection, Merits, Reparations and Costs.</i> June 7, 2003. Series C N° 99 		PARTIAL COMPLIANCE
- <i>Interpretation of the Judgment of Preliminary Objection, Merits and Reparations.</i> November 26, 2003. Series C N° 102	P.M.: 1	2006
	M.C.: 6	2004, 2005, 2007, 2009, 2012, 2013

<ul style="list-style-type: none"> • “<i>Juvenile Reeducation Institute</i>” v. <i>Paraguay. Preliminary Objections, Merits, Reparations and Costs.</i> September 2, 2004. Series C N° 112 		PARTIAL COMPLIANCE
	P.M.: 0	-----
	M.C.: 5	2006, 2007, 2008, 2009, 2009
<ul style="list-style-type: none"> • <i>Kaliña and Lokono Peoples v. Suriname. Merits, Reparations and Costs.</i> November 25, 2015. Series C N° 309 		PENDING
	P.M.: 0	-----
	M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Kawas Fernández v. Honduras. Merits, Reparations and Costs.</i> April 3, 2009. Series C N° 196 		PARTIAL COMPLIANCE
	P.M.: 3	2008, 2011, 2015
	M.C.: 3	2012, 2012, 2017 ^(*)
<ul style="list-style-type: none"> • <i>Kichwa Indigenous People of Sarayaku v. Ecuador. Merits and reparations.</i> June 27, 2012. Series C N° 245²⁸¹ 		PARTIAL COMPLIANCE
	P.M.: 4	2004, 2005, 2009, 2010
	M.C.: 1	2016
	R.F.: 1	2013
<ul style="list-style-type: none"> • <i>Kimel v. Argentina. Merits, Reparations and Costs.</i> May 2, 2008. Series C N° 177 		FULL COMPLIANCE
	P.M.: 0	-----
	M.C.: 3	2010, 2010, 2013

281. Previously the *Matter of Pueblo Indígena de Sarayaku regarding Ecuador (Systematization, 14, 18)*.

<ul style="list-style-type: none"> • <i>Kuna Indigenous People of Madungandí and the Emberá Indigenous People of Bayano and their members v. Panama. Preliminary Objections, Merits, Reparations and Costs.</i> October 14, 2014. Series C N° 284 		PARTIAL COMPLIANCE	
	P.M.: 0	-----	
	M.C.: 1	2017	
	R.F.: 1	2015	
<ul style="list-style-type: none"> • <i>La Cantuta v. Peru. Merits, Reparations and Costs.</i> November 29, 2006. Series C N° 162 		UNFULFILLED	
	- <i>Interpretation of the Judgment on Merits, Reparations and Costs.</i> November 30, 2007. Series C N° 173	P.M.: 0	-----
		M.C.: 2	2009, 2018 ^(*)
<ul style="list-style-type: none"> • <i>Lagos del Campo v. Peru. Preliminary Objections, Merits, Reparations and Costs.</i> August 31, 2017. Series C No. 340 		UNFULFILLED	
	- <i>Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs.</i> November 21, 2018. Series C N° 366	P.M.: 0	-----
		M.C.: 1	2018 ^(*)
		R.F.: 1	2018 ^(*)
<ul style="list-style-type: none"> • <i>Landaeta Mejías Brothers et al. v. Venezuela. Preliminary Objections, Merits, Reparations and Costs.</i> August 27, 2014. Series C N° 281 		UNFULFILLED	
		P.M.: 0	-----
		M.C.: 1	2016
		R.F.: 1	2018
<ul style="list-style-type: none"> • “<i>Las Dos Erres</i>” <i>Massacre v. Guatemala. Preliminary Objection, Merits, Reparations and Costs.</i> November 24, 2009. Series C N° 211 		PARTIAL COMPLIANCE ²⁸²	
		P.M.: 0	-----
		M.C.: 4	2011, 2012, 2014 ^(**) , 2015 ^(***)

282. M.C. from 2011 and M.C. from 2012. See Annex I, note 2601.

<ul style="list-style-type: none"> • <i>Las Palmeras v. Colombia. Merits.</i> December 6, 2001. Series C N° 90 		PARTIAL COMPLIANCE
- <i>Preliminary Objections.</i> February 4, 2000. Series C N° 67	P.M.: 0	-----
- <i>Reparations and Costs.</i> November 26, 2002. Series C N° 96	M.C.: 4	2004, 2008, 2009, 2010
<ul style="list-style-type: none"> • <i>Liakat Ali Alibux v. Suriname. Preliminary Objections, Merits, Reparations and Costs.</i> January 30, 2014. Series C N° 276 		PENDING
	P.M.: 0	-----
	M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Loayza Tamayo v. Peru. Merits.</i> September 17, 1997. Series C N° 33 		PARTIAL COMPLIANCE
- <i>Preliminary Objections.</i> January 31, 1996. Series C N° 25	P.M.: 6	1996, 1996, 1997, 2000, 2001, 2001
- <i>Reparations and Costs.</i> November 27, 1998. Series C N° 42		
- <i>Interpretation of the Judgement on Merits.</i> March 8, 1998. Series C N° 47	M.C.: 9	1999, 2001 ^(*) , 2002, 2003, 2005, 2006, 2007, 2008, 2011
- <i>Interpretation of the Judgment of Reparations and Costs.</i> June 3, 1999. Series C N° 53		
- <i>Compliance with Judgment.</i> November 17, 1999. Series C N° 60		
<ul style="list-style-type: none"> • <i>López Álvarez v. Honduras. Merits, Reparations and Costs.</i> February 1, 2006. Series C N° 141 		PARTIAL COMPLIANCE
	P.M.: 3	2005, 2005, 2009
	M.C.: 2	2008, 2013
<ul style="list-style-type: none"> • <i>López Lone et al. v. Honduras. Preliminary Objection, Merits, Reparations and Costs.</i> October 5, 2015. Series C N° 302 		PARTIAL COMPLIANCE
- <i>Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs.</i> September 2, 2016. Series C N° 317	P.M.: 0	-----
	M.C.: 1	2017

<ul style="list-style-type: none"> • <i>López Mendoza v. Venezuela. Merits, Reparations, and Costs.</i> September 1, 2011. Series C N° 233 		UNFULFILLED (****)
	P.M.: 0	-----
	M.C.: 1	2015
<ul style="list-style-type: none"> • <i>López Soto et al. v. Venezuela. Merits, Reparations and Costs.</i> September 26, 2018. Series C N° 362 		PENDING
	P.M.: 0	-----
	M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Lori Berenson Mejía v. Peru. Merits, Reparations and Costs.</i> November 25, 2004. Series C N° 119 		FULL COMPLIANCE
	- <i>Interpretation of the Judgement on Merits, Reparations and Costs.</i> June 23, 2005. Series C N° 128	P.M.: 0
	M.C.: 2	2006, 2012
<ul style="list-style-type: none"> • <i>Luna López v. Honduras. Merits, Reparations and Costs.</i> October 10, 2013. Series C N° 269 		PARTIAL COMPLIANCE
		P.M.: 0
	M.C.: 3	2015, 2017 ^(*) , 2017
<ul style="list-style-type: none"> • <i>Lysias Fleury et al. v. Haiti. Merits and Reparations.</i> November 23, 2011. Series C N° 236²⁸³ 		UNFULFILLED
		P.M.: 3
	M.C.: 2	2015, 2016
<ul style="list-style-type: none"> • <i>Maldonado Ordóñez v. Guatemala. Preliminary Objection, Merits, Reparations and Costs.</i> May 3, 2016. Series C N° 311 		FULL COMPLIANCE
		P.M.: 0
	M.C.: 1	2017

283. Previously the *Matter of Lysias Fleury regarding Haiti (Systematization, 9, 19, 35, 36)*.

<ul style="list-style-type: none"> • <i>Maldonado Vargas et al. v. Chile. Merits, Reparations and Costs.</i> September 2, 2015. Series C N° 300 		PARTIAL COMPLIANCE
	P.M.: 0	-----
	M.C.: 1	2017
<ul style="list-style-type: none"> • <i>Manuel Cepeda Vargas v. Colombia. Preliminary Objections, Merits, Reparations and Costs.</i> May 26, 2010. Series C N° 213 		PARTIAL COMPLIANCE
	P.M.: 0	-----
	M.C.: 2	2011, 2012 ^(*)
<ul style="list-style-type: none"> • <i>“Mapiripán Massacre” v. Colombia. Merits, Reparations and Costs.</i> September 15, 2005. Series C N° 134 		PARTIAL COMPLIANCE
	- <i>Preliminary Objections.</i> March 7, 2005. Series C N° 122	P.M.: 4
	M.C.: 4	2008, 2009, 2012 ^(*) , 2012
<ul style="list-style-type: none"> • <i>Maqueda v. Argentina. Preliminary Objections.</i> January 17, 1995. Series C N° 18 		DISMISSED
	P.M.: 0	-----
	M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Maritza Urrutia v. Guatemala. Merits, Reparations and Costs.</i> November 27, 2003. Series C N° 103 		UNFULFILLED ²⁸⁴
	P.M.: 0	-----
	M.C.: 5	2005, 2007, 2009, 2014 ^(**) , 2015 ^(***)

284. Despite the State having paid the compensations (M.C. of 2005), in light of the serious misconducts that the Court denounced in *Joint Monitoring Compliance of 11 cases v. Guatemala* (2014) ^(**) and *12 Guatemalan's Cases v. Guatemala* (2015) ^(***), this case is considered to be Unfulfilled. See Annex I, note 261.

<ul style="list-style-type: none"> • <i>Massacres of El Mozote and nearby places v. El Salvador. Merits, Reparations and Costs.</i> October 25, 2012. Series C N° 252 		PARTIAL COMPLIANCE
<ul style="list-style-type: none"> - <i>Interpretation of the Judgment on Merits, Reparations and Costs.</i> August 19, 2013. Series C N° 264 	P.M.: 0	-----
	M.C.: 4	2016, 2017, 2018, 2018
	R.F.: 1	2013
<ul style="list-style-type: none"> • <i>Mayagna (Sumo) Awas Tingni Community v. Nicaragua. Merits, Reparations and Costs.</i> August 31, 2001. Series C N° 79 		FULL COMPLIANCE
<ul style="list-style-type: none"> - <i>Preliminary Objections.</i> February 1, 2000. Series C N° 66 	P.M.: 2	2002, 2007
	M.C.: 3	2008, 2008, 2009
<ul style="list-style-type: none"> • <i>Mejía Idrovo v. Ecuador. Preliminary Objections, Merits, Reparations, and Costs.</i> July 5, 2011. Series C N° 228 		FULL COMPLIANCE
	P.M.: 0	-----
	M.C.: 2	2012, 2012
<ul style="list-style-type: none"> • <i>Members of the village of Chichupac and neighboring communities of the Municipality of Rabinal v. Guatemala. Preliminary Objections, Merits, Reparations and Costs.</i> November 30, 2016. Series C N° 328 		UNFULFILLED
	P.M.: 0	-----
	M.C.: 2	2018, 2018
<ul style="list-style-type: none"> • <i>Mémoli v. Argentina. Preliminary Objections, Merits, Reparations and Costs.</i> August 22, 2013. Series C N° 265 		FULL COMPLIANCE
	P.M.: 0	-----
	M.C.: 1	2017
<ul style="list-style-type: none"> • <i>Mendoza et al. v. Argentina. Preliminary Objections, Merits and Reparations.</i> May 14, 2013. Series C N° 260 		PENDING
	P.M.: 0	-----
	M.C.: 0	-----
	R.F.: 1	2015 ^(*)

<ul style="list-style-type: none"> • <i>Miguel Castro Castro Prison v. Peru. Merits, Reparations and Costs.</i> November 25, 2006. Series C N° 160 		UNFULFILLED
<ul style="list-style-type: none"> - <i>Interpretation of the Judgment on Merits, Reparations and Costs.</i> August 2, 2008. Series C N° 181 	P.M.: 3	2007, 2008, 2018
	M.C.: 8	2009, 2010, 2013, 2013, 2014, 2015, 2017, 2018
	R.F.: 1	2017 ^(*)
<ul style="list-style-type: none"> • <i>Mohamed v. Argentina. Preliminary Objection, Merits, Reparations and Costs.</i> November 23, 2012. Series C N° 255 		FULL COMPLIANCE
	P.M.: 0	-----
	M.C.: 1	2015
	R.F.: 1	2015 ^(*)
<ul style="list-style-type: none"> • <i>Moiwana Community v. Suriname. Preliminary Objections, Merits, Reparations and Costs.</i> June 15, 2005. Series C N° 124 		PARTIAL COMPLIANCE
<ul style="list-style-type: none"> - <i>Interpretation of the Judgment on Merits, Reparations and Costs.</i> February 8, 2006. Series C N° 145 	P.M.: 0	-----
	M.C.: 4	2007, 2009, 2010, 2018
<ul style="list-style-type: none"> • <i>Molina Theissen v. Guatemala. Merits.</i> May 4, 2004. Series C N° 106 		UNFULFILLED ²⁸⁵
<ul style="list-style-type: none"> - <i>Reparations and Costs.</i> July 3, 2004. Series C N° 108 	P.M.: 0	-----
	M.C.: 5	2007, 2009, 2009, 2014 ^(**) , 2015 ^(***)
<ul style="list-style-type: none"> • <i>Montero Aranguren et al. (Detention Center of Catia) v. Venezuela. Preliminary Objection, Merits, Reparations and Costs.</i> July 5, 2006. Series C N° 150 		UNFULFILLED ^(****)
	P.M.: 0	-----
	M.C.: 4	2009, 2009, 2011, 2015 ^(*)

285. Despite the State having paid the compensations (M.C. of 2007), in light of the serious misconducts by the Court in *Joint Monitoring Compliance of 11 cases v. Guatemala* (2014) ^(**) and *12 Guatemalan's Cases v. Guatemala* (2015) ^(***), this case is considered to be Unfulfilled. See Annex I, note 261.

<ul style="list-style-type: none"> • <i>Munárriz Escobar et al. v. Peru. Preliminary Objection, Merits, Reparations and Costs.</i> August 20, 2018. Series C N° 355 		PENDING	
	P.M.: 0	-----	
	M.C.: 0	-----	
	R.F.: 1	2018	
<ul style="list-style-type: none"> • <i>Myrna Mack Chang v. Guatemala. Merits, Reparations and Costs.</i> November 25, 2003. Series C N° 101 		PARTIAL COMPLIANCE ²⁸⁶	
	P.M.: 8	2002, 2003, 2003, 2009, 2009, 2009, 2014, 2015	
	M.C.: 6	2005, 2007, 2009, 2009, 2014 ^(**) , 2015 ^(***)	
<ul style="list-style-type: none"> • <i>Nadege Dorzema et al. v. Dominican Republic. Merits, Reparations and Costs.</i> October 24, 2012. Series C N° 251 		PENDING	
	P.M.: 1	2016 ²⁸⁷	
	M.C.: 0	-----	
<ul style="list-style-type: none"> • <i>Neira Alegria et al. v. Peru. Merits.</i> January 19, 1995. Series C N° 20 		PARTIAL COMPLIANCE	
	- <i>Preliminary Objections.</i> December 11, 1991. Series C N° 13	P.M.: 0	-----
	- <i>Reparations and Costs.</i> September 19, 1996. Series C N° 29	M.C.: 2	2002, 2009
<ul style="list-style-type: none"> • <i>Nogueira de Carvalho et al. v. Brazil. Preliminary Objections and Merits.</i> November 28, 2006. Series C N° 161 		DENIED	
	P.M.: 0	-----	
	M.C.: 0	-----	

286. M.C. from 2005; M.C. from 2007; M.C. from November 16, 2009. See Annex I, note 261.

287. The P.M. was denied by the Court.

<ul style="list-style-type: none"> • <i>Norín Catrimán et al. (Leaders, members and activist of the Mapuche Indigenous People) v. Chile. Merits, Reparations and Costs.</i> May 29, 2014. Series C N° 279 	PARTIAL COMPLIANCE		
	P.M.: 0	-----	
	M.C.: 1	2018	
	R.F.: 1	2015	
<ul style="list-style-type: none"> • <i>Omeara Carrascal et al. v. Colombia. Merits, Reparations and Costs.</i> November 21, 2018. Series C N° 368 	PENDING		
	P.M.: 0	-----	
	M.C.: 0	-----	
<ul style="list-style-type: none"> • <i>Órdenes Guerra et al. v. Chile. Merits, Reparations and Costs.</i> November 29, 2018. Series C N° 372 	PENDING		
	P.M.: 0	-----	
	M.C.: 0	-----	
<ul style="list-style-type: none"> • <i>Ortiz Hernández et al v. Venezuela. Preliminary Objections, Merits, Reparations and Costs.</i> August 22, 2017. Series C No. 338 	PENDING		
	P.M.: 0	-----	
	M.C.: 0	-----	
<ul style="list-style-type: none"> • <i>Osorio Rivera and Family members v. Peru. Preliminary Objections, Merits, Reparations and Costs.</i> November 26, 2013. Series C N° 274 	PENDING		
	- <i>Interpretation of the judgment on Preliminary Objections, Merits and Reparations and Costs.</i> November 20, 2014. Series C N° 290	P.M.: 0	-----
		M.C.: 0	-----
		R.F.: 1	2017 ^(*)
<ul style="list-style-type: none"> • <i>Pacheco León et al v. Honduras. Merits, Reparations and Costs.</i> November 15, 2017. Series C No. 342 	PENDING		
	P.M.: 0	-----	
	M.C.: 0	-----	

<ul style="list-style-type: none"> • <i>Pacheco Teruel et al v. Honduras. Merits, Reparations and Costs.</i> April 27, 2012. Series C N° 241 		PARTIAL COMPLIANCE	
	P.M.: 2	2013 ²⁸⁸ , 2013	
	M.C.: 1	2017	
<ul style="list-style-type: none"> • <i>Pacheco Tineo family v. Plurinational State of Bolivia. Preliminary Objections, Merits, Reparations and Costs.</i> November 25, 2013. Series C N° 272 		FULL COMPLIANCE	
	P.M.: 0	-----	
	M.C.: 1	2015	
	R.F.: 1	2015	
<ul style="list-style-type: none"> • <i>Palamara Iribarne v. Chile. Merits, Reparations and Costs.</i> November 22, 2005. Series C N° 135 		PARTIAL COMPLIANCE	
	P.M.: 0	-----	
	M.C.: 5	2007, 2008, 2009, 2011, 2016	
<ul style="list-style-type: none"> • <i>Palma Mendoza et al. v. Ecuador. Preliminary Objection and Merits.</i> September 3, 2012. Series C N° 247 		PENDING	
	P.M.: 0	-----	
	M.C.: 0	-----	
<ul style="list-style-type: none"> • <i>Peasant Community of Santa Barbara v. Peru. Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs.</i> November 21, 2016. Series C N° 324 		PENDING	
	- <i>Preliminary Objections, Merits, Reparations, and Costs.</i>	P.M.: 0	-----
	September 1, 2015. Series C N° 299	M.C.: 0	-----
	R.F.: 1	2017 ^(*)	

288. In this P.M., a payment of the case compensations was made.

<ul style="list-style-type: none"> • <i>Perozo et al. v. Venezuela. Preliminary Objections, Merits, Reparations, and Costs.</i> January 28, 2009. Series C N° 195²⁸⁹ 		UNFULFILLED (****)
	P.M.: 5	2004, 2007, 2007, 2008, 2015
	M.C.: 1	2015 ^(*)
<ul style="list-style-type: none"> • <i>Plan de Sánchez Massacre v. Guatemala. Merits.</i> April 29, 2004. Series C N° 105 		PARTIAL COMPLIANCE ²⁹⁰
- <i>Reparations.</i> November 19, 2004. Series C N° 116	P.M.: 7	2004, 2004, 2005, 2006, 2006, 2007, 2009
	M.C.: 7	2007, 2008, 2009, 2011, 2014 ^(**) , 2015 ^(***) , 2017
<ul style="list-style-type: none"> • <i>Poblete Vilches et al. v. Chile. Merits, Reparations and Costs.</i> March 8, 2018. Series C N° 349 		PENDING
	P.M.: 0	-----
	M.C.: 0	-----
	R.F.: 1	2018
<ul style="list-style-type: none"> • <i>Pollo Rivera et al. v. Peru. Merits, Reparations and Costs.</i> October 21, 2016. Series C N° 319 		UNFULFILLED
- <i>Request for Interpretation of the Judgment on Merits, Reparations and Costs.</i> May 25, 2017. Series C No. 335	P.M.: 0	-----
	M.C.: 1	2018
	R.F.: 1	2018
<ul style="list-style-type: none"> • <i>Pueblo Bello Massacre v. Colombia. Merits, Reparations and Costs.</i> January 31, 2006. Series C N° 140 		PARTIAL COMPLIANCE
- <i>Interpretation of the Judgement on Merits, Reparations and Costs.</i> November 25, 2006. Series C N° 159	P.M.: 0	-----
	M.C.: 3	2008, 2009, 2012 ^(*)

289. Previously the *Matter of "Globovisión" Television Station regarding Venezuela (Systematization, 6)*.

290. M.C. from 2011, M.C. from 2009, M.C. from 2008 and M.C. from 2007. See Annex I, note 261.

<ul style="list-style-type: none"> • <i>Quispialaya Vilcapoma v. Peru. Preliminary Objections, Merits, Reparations and Costs.</i> November 23, 2015. Series C N° 308 		PENDING
<ul style="list-style-type: none"> - <i>Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs.</i> November 21, 2016. Series C N° 320 	P.M.: 0	-----
	M.C.: 0	-----
	R.F.: 1	2017 ^(*)
<ul style="list-style-type: none"> • <i>Radilla Pacheco v. Mexico. Preliminary Objections, Merits, Reparations, and Costs.</i> November 23, 2009. Series C N° 209 		PARTIAL COMPLIANCE
	P.M.: 0	-----
	M.C.: 5	2011, 2011, 2012, 2013, 2015 ^(*)
<ul style="list-style-type: none"> • <i>Ramírez Escobar et al. v. Guatemala. Merits, Reparations and Costs.</i> March 9, 2018. Series C N° 351 		PENDING
	P.M.: 0	-----
	M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Raxcacó Reyes v. Guatemala. Merits, Reparations and Costs.</i> September 15, 2005. Series C N° 133 		PARTIAL COMPLIANCE
<ul style="list-style-type: none"> - <i>Interpretation of the Judgement on Merits, Reparations and Costs.</i> February 6, 2006. Series C N° 143 	P.M.: 8	2004, 2006, 2006, 2007, 2007, 2008, 2008, 2012
	M.C.: 2	2008, 2008
<ul style="list-style-type: none"> • <i>Reverón Trujillo v. Venezuela. Preliminary Objection, Merits, Reparations, and Costs.</i> June 30, 2009. Series C N° 197 		UNFULFILLED ^(****)
	P.M.: 0	-----
	M.C.: 1	2015 ^(*)
<ul style="list-style-type: none"> • <i>Ricardo Canese v. Paraguay. Merits, Reparations and Costs.</i> August 31, 2004. Series C N° 111 		FULL COMPLIANCE
	P.M.: 0	-----
	M.C.: 5	2006, 2006, 2007, 2008, 2008

<ul style="list-style-type: none"> • <i>Río Negro Massacres v. Guatemala. Preliminary Objection, Merits, Reparations and Costs.</i> September 4, 2012. Series C N° 250 		UNFULFILLED	
	P.M.: 0	-----	
	M.C.: 3	2014 ^(*) , 2017, 2018	
<ul style="list-style-type: none"> • <i>Ríos et al. v. Venezuela. Preliminary Objections, Merits, Reparations and Costs.</i> January 28, 2009. Series C N° 194²⁹¹ 		UNFULFILLED (****)	
	P.M.: 10	2002, 2003, 2003, 2003, 2003, 2004, 2004, 2005, 2007, 2007	
	M.C.: 1	2015 ^(*)	
<ul style="list-style-type: none"> • <i>Rochac Hernández et al. v. El Salvador. Merits, Reparations and Costs.</i> October 14, 2014. Series C N° 285 		UNFULFILLED	
	P.M.: 0	-----	
	M.C.: 1	2017	
	R.F.: 1	2015	
<ul style="list-style-type: none"> • <i>Rochela Massacre v. Colombia. Merits, Reparations and Costs.</i> May 11, 2007. Series C N° 163 		PARTIAL COMPLIANCE	
	- <i>Interpretation of the Judgment on Merits, Reparations and Costs.</i> January 28, 2008. Series C N° 175	P.M.: 2	2009, 2017
		M.C.: 3	2010, 2012 ^(*) , 2015
<ul style="list-style-type: none"> • <i>Rodríguez Vera et al. (The Disappeared from the Palace of Justice) v. Colombia. Preliminary Objections, Merits, Reparations and Costs.</i> November 14, 2014. Series C N° 287 		UNFULFILLED	
	P.M.: 0	-----	
	M.C.: 1	2017	

291. Previously the *Matter of Luisiana Ríos et al. regarding Venezuela (Systematization, 14)*.

<ul style="list-style-type: none"> • <i>Rosendo Cantú et al. v. Mexico. Preliminary Objection, Merits, Reparations, and Costs.</i> August 31, 2010. Series C N° 216 		PARTIAL COMPLIANCE
<ul style="list-style-type: none"> - <i>Interpretation of Judgment of Preliminary Objection, Merits, Reparations and Costs.</i> May 15, 2011. Serie C N° 225 	P.M.: 4	2010, 2011, 2015, 2016
	M.C.: 3	2010, 2014 ^(*) , 2015 ^(*)
<ul style="list-style-type: none"> • <i>Ruano Torres et al. v. El Salvador. Merits, Reparations and Costs.</i> October 5, 2015. Series C N° 303 		UNFULFILLED
	P.M.: 0	-----
	M.C.: 1	2018
<ul style="list-style-type: none"> • <i>Salvador Chiriboga v. Ecuador. Preliminary Objections and Merits.</i> May 6, 2008. Series C N° 179 		FULL COMPLIANCE
<ul style="list-style-type: none"> - <i>Reparations and Costs.</i> March 3, 2011. Series C N° 222 	P.M.: 1	2011
<ul style="list-style-type: none"> - <i>Interpretation of the Judgment on Reparations and Costs.</i> August 29, 2011. Series C N° 230 	M.C.: 5	2012, 2013, 2014, 2015, 2016
<ul style="list-style-type: none"> • <i>San Miguel Sosa et al. v. Venezuela. Merits, Reparations and Costs.</i> February 8, 2018. Series C N° 348 		PENDING
	P.M.: 0	-----
	M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Santo Domingo Massacre v. Colombia. Preliminary Objections, Merits and Reparations.</i> November 30, 2012. Series N° 259 		UNFULFILLED
<ul style="list-style-type: none"> - <i>Request for Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs.</i> August 19, 2013. Series C N° 263 	P.M.: 0	-----
	M.C.: 1	2018

<ul style="list-style-type: none"> • <i>Saramaka People v. Suriname. Preliminary Objections, Merits, Reparations, and Costs.</i> November 28, 2007. Series C N° 172. 		PARTIAL COMPLIANCE
- <i>Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs.</i> August 12, 2008. Series C N°185	P.M.: 1 M.C.: 4	2013 2010, 2011, 2013, 2018
<ul style="list-style-type: none"> • <i>Sawhoyamaya Indigenous Community v. Paraguay. Merits, Reparations and Costs.</i> March 29, 2006. Series C N° 146 		PARTIAL COMPLIANCE
	P.M.: 0 M.C.: 7	----- 2007, 2007, 2008, 2009, 2015 ^(*) , 2016 ^(*) , 2017 ^(*)
<ul style="list-style-type: none"> • <i>Serrano Cruz Sisters v. El Salvador. Merits, Reparations and Costs.</i> March 1, 2005. Series C N° 120 		PARTIAL COMPLIANCE
- <i>Preliminary Objections.</i> November 23, 2004. Series C N° 118	P.M.: 1	2006
- <i>Interpretation of the Judgement on Merits, Reparations and Costs.</i> September 9, 2005. Series C N° 131	M.C.: 5	2006, 2007, 2009, 2010, 2016
<ul style="list-style-type: none"> • <i>Servellón García et al. v. Honduras. Merits, Reparations and Costs.</i> September 21, 2006. Series C N° 152 		PARTIAL COMPLIANCE
	P.M.: 1 M.C.: 3	----- 2008, 2008, 2011

<ul style="list-style-type: none"> • “Street Children” (<i>Villagrán-Morales et al.</i>) v. <i>Guatemala</i>. Merits. November 19, 1999. Series C N° 63 		UNFULFILLED ²⁹²
<ul style="list-style-type: none"> - <i>Preliminary Objections</i>. September 11, 1997. Series C N° 32 	P.M.: 0	-----
<ul style="list-style-type: none"> - <i>Reparations and Costs</i>. May 26, 2001. Series C N° 77 	M.C.: 8	2003, 2005, 2007, 2008, 2008, 2009, 2014 ^(**) , 2015 ^(***)
<ul style="list-style-type: none"> • <i>Suárez Peralta v. Ecuador</i>. <i>Preliminary Objections, Merits, Reparations and Costs</i>. May 21, 2013. Series C N° 261 		FULL COMPLIANCE
	P.M.: 0	-----
	M.C.: 1	2015
	R.F.: 1	2015
<ul style="list-style-type: none"> • <i>Suárez Rosero v. Ecuador</i>. Merits. November 12, 1997. Series C N° 35 		PARTIAL COMPLIANCE
<ul style="list-style-type: none"> - <i>Reparations and Costs</i>. January 20, 1999. Series C N° 44 	P.M.: 1	1996
<ul style="list-style-type: none"> - <i>Interpretation of the Judgment of Reparations and Costs</i>. May 29, 1999. Series C N° 51 	M.C.: 4	2003, 2007, 2009, 2015
<ul style="list-style-type: none"> • <i>Supreme Court of Justice (Quintana Coello et al.) v. Ecuador</i>. <i>Preliminary Objection, Merits, Reparations and Costs</i>. August 23, 2013. Series C N° 266 		PARTIAL COMPLIANCE
<ul style="list-style-type: none"> - <i>Interpretation of the Judgment of Preliminary Objection, Merits, Reparations and Costs</i>. August 21, 2014. Series C N° 280 	P.M.: 0	-----
	M.C.: 2	2014, 2016

292. Despite the State having paid the indemnities (M.C. of 2005 and 2003), in view of the serious misconducts denounced by the Court in *Joint Monitoring Compliance of 11 cases v. Guatemala* (2014) ^(**) and *12 Guatemalan's Cases v. Guatemala* (2015) ^(***). This case is considered to be Unfulfilled. See Annex, note 261.

<ul style="list-style-type: none"> • <i>Tarazona Arrieta et al. v. Peru. Preliminary Objection, Merits, Reparations and Costs.</i> October 15, 2014. Series C N° 286 		PENDING	
	P.M.: 0	-----	
	M.C.: 0	-----	
	R.F.: 1	2017 ^(*)	
<ul style="list-style-type: none"> • <i>Tenorio Roca et al. v. Peru. Preliminary Objections, Merits, Reparations and Costs.</i> June 22, 2016. Series C N° 314 		PENDING	
	P.M.: 0	-----	
	M.C.: 0	-----	
	R.F.: 1	2017 ^(*)	
<ul style="list-style-type: none"> • <i>Terrones Silva et al. v. Peru. Preliminary Objections, Merits, Reparations and Costs.</i> September 26, 2018. Series C N° 360 		PENDING	
	P.M.: 0	-----	
	M.C.: 0	-----	
<ul style="list-style-type: none"> • <i>“The Last Temptation of Christ” (Olmedo-Bustos et al.) v. Chile. Merits, Reparations and Costs.</i> February 5, 2001. Series C N° 73 		FULL COMPLIANCE	
	P.M.: 0	-----	
	M.C.: 2	2002, 2003	
<ul style="list-style-type: none"> • <i>Tibi v. Ecuador. Preliminary Objections, Merits, Reparations and Costs.</i> September 7, 2004. Series C N° 114 		PARTIAL COMPLIANCE	
	P.M.: 0	-----	
	M.C.: 4	2006, 2009, 2011, 2016	
<ul style="list-style-type: none"> • <i>Ticona Estrada et al. v. Bolivia. Merits, Reparations and Costs.</i> November 27, 2008. Series C N° 191 		PARTIAL COMPLIANCE	
	- <i>Interpretation of the Judgment on Merits, Reparations and Costs.</i> July 1, 2009. Series C N° 199	P.M.: 0	-----
		M.C.: 2	2011, 2016

<ul style="list-style-type: none"> • <i>Tiu Tojín v. Guatemala. Merits, Reparations and Costs.</i> November 26, 2008. Series C N° 190 		UNFULFILLED ²⁹³
	P.M.: 0	-----
	M.C.: 3	2011 2014 ^(**) , 2015 ^(***)
<ul style="list-style-type: none"> • <i>Torres Millacura et al. v. Argentina. Merits, Reparations and costs.</i> August 26, 2011. Series C N° 229²⁹⁴ 		PARTIAL COMPLIANCE ²⁹⁵
	P.M.: 9	2006, 2006, 2008, 2011, 2012, 2013, 2013, 2015, 2017
	M.C.: 0	-----
	R.F.: 1	2015 ^(*)
<ul style="list-style-type: none"> • <i>Tristán Donoso v. Panama. Preliminary Objection, Merits, Reparations and Costs.</i> January 27, 2009. Series C N° 193 		FULL COMPLIANCE
	P.M.: 0	-----
	M.C.: 1	2010
<ul style="list-style-type: none"> • <i>Trueba Arciniega et al. v. Mexico.</i> November 27, 2018. Series C N° 369 		PENDING
	P.M.: 0	-----
	M.C.: 0	-----

293. In light of the serious misconducts reported by the Court in *Joint Monitoring Compliance of 11 cases v. Guatemala* (2014) (**) and *12 Guatemalan's Cases v. Guatemala* (2015) (***). This case is considered to be Unfulfilled. See Annex, note 261.

294. Previously the *Matter of Millacura Llaipén et al. regarding Argentina (Systematization, 4 & 17)*.

295. Although in this case there has been no M.C. to date, it is currently considered as having Partial Compliance rather than Pending, due to the high number of P.M. requested after the ruling (from 2011), although in general they have been dismissed and ordered to raise the P.M. issued previously. It would appear that if they are being requested, it is because the State has clearly not fulfilled its obligations, although according to the data obtained on the Court's website, it cannot be determined if the case is considered to be Unfulfilled.

<ul style="list-style-type: none"> • <i>Trujillo Oroza v. Bolivia. Merits.</i> January 26, 2000. Series C N° 64 		PARTIAL COMPLIANCE
<ul style="list-style-type: none"> - <i>Reparations and Costs.</i> February 27, 2002. Series C N° 92 	P.M.: 0	-----
	M.C.: 5	2004, 2005, 2007, 2009, 2009
<ul style="list-style-type: none"> • <i>Usón Ramírez v. Venezuela. Preliminary Objection, Merits, Reparations and Costs.</i> November 20, 2009. Series C N° 207 		UNFULFILLED (****)
	P.M.: 0	-----
	M.C.: 1	2015(*)
<ul style="list-style-type: none"> • <i>Uzcátegui et al. v. Venezuela. Merits and reparations.</i> September 3, 2012. Series C N° 249 		UNFULFILLED
	P.M.: 5	2002, 2003, 2003, 2004, 2009
	M.C.: 2	2015(*), 2016(*)
	S.R.: 1	2018(*)
<ul style="list-style-type: none"> • <i>V.R.P., V.P.C. et al. v. Nicaragua. Preliminary Objections, Merits, Reparations and Costs.</i> March 8, 2018. Series C N° 350 		PENDING
	P.M.: 0	-----
	M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Valencia Hinojosa et al. v. Ecuador. Preliminary Objections, Merits, Reparations and Costs.</i> November 29, 2016. Series C N° 327 		FULL COMPLIANCE
	P.M.: 0	-----
	M.C.: 1	2018
<ul style="list-style-type: none"> • <i>Valle Jaramillo et al. v. Colombia. Merits, Reparations and Costs.</i> November 27, 2008. Series C N° 192 		PARTIAL COMPLIANCE
<ul style="list-style-type: none"> - <i>Interpretation of the Judgment on the Merits, Reparations and Costs.</i> July 7, 2009. Series C N° 201 	P.M.: 0	-----
	M.C.: 4	2010, 2011, 2011, 2012(*)

<ul style="list-style-type: none"> • <i>Vargas Areco v. Paraguay. Merits, Reparations and Costs.</i> September 26, 2006. Series C N° 155 		PARTIAL COMPLIANCE
	P.M.: 0	-----
	M.C.: 4	2008, 2010, 2010, 2012
<ul style="list-style-type: none"> • <i>Vásquez Durand et al. v. Ecuador. Preliminary Objections, Merits, Reparations and Costs.</i> February 15, 2017. Series C N° 332 		PENDING
	P.M.: 0	-----
	M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Velásquez Paiz et al. v. Guatemala. Preliminary Objections, Merits, Reparations and Costs.</i> November 19, 2015. Series C N° 307 		PARTIAL COMPLIANCE
	P.M.: 0	-----
	M.C.: 1	2017
<ul style="list-style-type: none"> • <i>Velásquez Rodríguez v. Honduras. Merits.</i> July 29, 1988. Series C N° 4 		FULL COMPLIANCE
- <i>Preliminary Objections.</i> June 26, 1987. Series C N° 1	P.M.: 2	1988, 1988
- <i>Reparations and Costs.</i> July 21, 1989. Series C N° 7	M.C.: 0	-----
- <i>Interpretation of the Judgment of Reparations and Costs.</i> August 17, 1990. Series C No.9		
<ul style="list-style-type: none"> • <i>Vélez Loor v. Panama. Preliminary Objections, Merits, Reparations, and Costs.</i> November 23, 2010. Series C N° 218 		PARTIAL COMPLIANCE
	P.M.: 0	-----
	M.C.: 1	2013

<ul style="list-style-type: none"> • <i>Vélez Restrepo and family v. Colombia. Preliminary Objection, Merits, Reparations and Costs.</i> September 3, 2012. Series C N° 248 		PARTIAL COMPLIANCE	
	P.M.: 0	-----	
	M.C.: 1	2017	
<ul style="list-style-type: none"> • <i>Veliz Franco et al. v. Guatemala. Preliminary Objections, Merits, Reparations and Costs.</i> May 19, 2014. Series C N° 277 		PARTIAL COMPLIANCE	
	P.M.: 0	-----	
	M.C.: 3	2016, 2017, 2018	
	R.F.: 1	2015	
<ul style="list-style-type: none"> • <i>Vera Vera et al. v. Ecuador. Preliminary Objection, Merits, Reparations, and Costs.</i> May 19, 2011. Series. C N° 226 		PARTIAL COMPLIANCE	
	P.M.: 0	-----	
	M.C.: 2	2012, 2012	
<ul style="list-style-type: none"> • <i>Vereda La Esperanza v. Colombia. Preliminary Objections, Merits, Reparations and Costs.</i> August 31, 2017. Series C No. 341 		PENDING	
	- <i>Interpretation of the Judgment on Preliminary Objection, Merits, Reparations and Costs.</i> November 21, 2018. Series C N° 367	P.M.: 0	-----
		M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Villamizar Durán et al. v. Colombia. Preliminary Objection, Merits, Reparations and Costs.</i> November 20, 2018. Series C N° 364 		PENDING	
	P.M.: 0	-----	
	M.C.: 0	-----	

<ul style="list-style-type: none"> • “<i>White Van</i>” (<i>Paniagua Morales et al.</i>) v. <i>Guatemala. Merits.</i> March 8, 1998. Series C N° 37 		UNFULFILLED ²⁹⁶
- <i>Preliminary Objections.</i> January 25, 1996. Series C N° 23	P.M.: 5	1998, 1998, 1998, 2001, 2001
- <i>Reparations and Costs.</i> May 25, 2001. Series C N° 76	M.C.: 4	2003, 2007, 2007, 2015 ^(***)
<ul style="list-style-type: none"> • <i>Women Victims of Sexual Torture in Atenco v. Mexico. Preliminary Objection, Merits, Reparations and Costs.</i> November 28, 2018. Series C N° 371 		PENDING
	P.M.: 0	-----
	M.C.: 0	-----
<ul style="list-style-type: none"> • <i>Wong Ho Wing v. Peru. Preliminary Objection, Merits, Reparations and Costs.</i> June 30, 2015. Series C N° 297²⁹⁷ 		PARTIAL COMPLIANCE
- <i>Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs.</i> June 22, 2016. Series C N° 313	P.M.: 16	2010, 2010, 2010, 2011, 2011, 2011, 2012, 2012, 2012, 2013, 2013, 2013, 2014, 2014, 2015 ²⁹⁸ , 2016
	M.C.: 1	2016
<ul style="list-style-type: none"> • <i>Xákmok Kásek Indigenous Community. v. Paraguay. Merits, Reparations and Costs.</i> August 24, 2010. Series C N° 214 		PARTIAL COMPLIANCE
	P.M.: 0	-----
	M.C.: 3	2015 ^(*) , 2016 ^(*) , 2017 ^(*)

296. Despite the State having paid the indemnities (M.C. of 2003 and 2007), in light of the serious misconduct denounced by the Court in *Joint Monitoring Compliance of 11 cases v. Guatemala* (2014) ^(**) and *12 Guatemalan's Cases v. Guatemala* (2015) ^(***). This case is considered to be Unfulfilled. See Annex I, note 261.

297. Previously the *Matter of Wong Ho Wing regarding Peru* (*Systematization*, 21).

298. Although being in the “Monitoring Compliance with Judgment” section, it is a P.M.

<ul style="list-style-type: none"> • <i>Ximenes Lopes v. Brazil. Merits, Reparations and Costs.</i> July 4, 2006. Series C N° 149 		PARTIAL COMPLIANCE
- <i>Preliminary Objection.</i> November 30, 2005. Series C N° 139	P.M.: 0 M.C.: 3	----- 2008, 2009, 2010
<ul style="list-style-type: none"> • <i>Xucuru Indigenous People and its members v. Brazil. Preliminary Objections, Merits, Reparations and Costs.</i> February 5, 2018. Series C N° 346 		PENDING
	P.M.: 0 M.C.: 0	----- -----
<ul style="list-style-type: none"> • <i>Yakye Axa Indigenous Community v. Paraguay. Merits, Reparations and Costs.</i> June 17, 2005. Series C N° 125 		PARTIAL COMPLIANCE
- <i>Interpretation of the Judgement on Merits, Reparations and Costs.</i> February 6, 2006. Series C N° 142	P.M.: 0 M.C.: 5	----- 2007, 2008, 2015 ^(*) , 2016 ^(*) , 2017 ^(*)
<ul style="list-style-type: none"> • <i>Yarce et al. v. Colombia. Preliminary Objection, Merits, Reparations and Costs.</i> November 22, 2016. Series C N° 325 		PENDING
- <i>Interpretation of the Judgment on Preliminary Objection, Merits, Reparations and Costs.</i> November 21, 2017. Series C No. 343	P.M.: 0 M.C.: 0	----- -----
<ul style="list-style-type: none"> • <i>Yatama v. Nicaragua. Preliminary Objections, Merits, Reparations and Costs.</i> June 23, 2005. Series C N° 127 		UNFULFILLED (****)
	P.M.: 0 M.C.: 7	----- 2006, 2008, 2010, 2010, 2011, 2013, 2015
<ul style="list-style-type: none"> • <i>Yvon Neptune v. Haiti. Merits, Reparations and Costs.</i> May 6, 2008. Series C N° 180 		UNFULFILLED (****)
	P.M.: 0 M.C.: 1	----- 2015

<ul style="list-style-type: none"> <i>Zambrano Vélez et al. v. Ecuador. Merits, Reparations and Costs. July 4, 2007. Series C N° 166</i> 	PARTIAL COMPLIANCE
P.M.: 0	-----
M.C.: 4	2009, 2009, 2010, 2016
<ul style="list-style-type: none"> <i>Zegarra Marín v. Peru. Preliminary Objections, Merits, Reparations and Costs. February 15, 2017. Series C No. 331</i> 	UNFULFILLED
- <i>Interpretation of the Judgment on Preliminary Objections, Merits, Reparations and Costs. February 8, 2018. Series C N° 347</i>	P.M.: 0
	M.C.: 1

	2018