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**REPORT No. 85/14**  
**PETITION 11.135**  
REPORT ON ARCHIVE

MARIO ENRIQUE RAMÍREZ  
HONDURAS

Approved by the Commission at its session No. 2002 held on August 15, 2014  
152 Special Period of Sessions

**Cite as:** IACHR, Report No. 85/14, Petition 11.135. Archive. Mario Enrique Ramírez. Honduras.  
August 15, 2014.

**REPORT No. 85/14**  
**CASE 11.135**  
DECISION TO ARCHIVE  
MARIO ENRIQUE RAMÍREZ  
HONDURAS  
AUGUST 15, 2014

**ALLEGED VICTIM:** Mario Enrique Ramírez

**PETITIONER:** Roberto O. Ramírez

**ALLEGED VIOLATIONS:** The petitioner did not invoke articles contained in the American Convention on Human Rights.

**DATE PROCESSING BEGAN:** March 30, 1993

**I. POSITION OF THE PETITIONER**

1. On December 3, 1992, the Inter-American Commission on Human Rights (hereinafter "IACHR") received a petition from Roberto O. Ramírez against the State of Honduras. The complaint alleged lack of judicial protection and guarantees of due process in the investigation into the murder of his brother Mario Enrique Ramírez. The petitioner also indicated that the person allegedly responsible for the murder is a person with close ties to state authorities and that, due to influence exerted by him, false witnesses were allegedly included in the investigation, many of whom belong to or are activists of the governing party. The petitioner further alleges that his family and his defense attorney had been threatened and attacked.

**II. POSITION OF THE STATE**

2. The State of Honduras did not present any information.

**III. PROCESSING BY THE IACHR**

3. On December 3, 1992 the Inter-American Commission on Human Rights received the petition and assigned it the number 11.135. On March 30, 1993 the IACHR transmitted the pertinent parts to the State and requested that it provide any information it deemed appropriate within 90 days. The IACHR repeated its request to the State that it respond to the petition on November 8, 1993; June 19, 1997; July 25, 1997; June 16, 1998; and February 22, 1999. The State never answered.

4. On December 22, 1993, the IACHR received further information from the petitioner; the pertinent parts were forwarded to the State for its observations. The State did not reply. On April 26, 1996, the IACHR placed itself at the disposal of the parties in order to facilitate a possible friendly settlement.

5. On December 19, 2011 the IACHR requested an update on the case from the petitioner, in order to ascertain whether the grounds for the petition subsisted, and it pointed out that, should no information be received by the date indicated, the IACHR would proceed to archive the petition, pursuant to Article 48.1.b of the American Convention on Human Rights and Article 42 of its Rules of Procedure. There was no reply from the petitioner.

**IV. BASIS FOR THE DECISION TO ARCHIVE**

6. Article 48.1 of the American Convention on Human Rights and Article 42 of the IACHR's Rules of Procedure establish that, at any point in the proceedings, the Commission shall ascertain whether the grounds for the petition still exist or subsist and if it believes they do not, it shall order the case to be archived. Likewise, Article 42.1.b of its Rules of Procedure establishes that the IACHR may decide to archive a

case when the information necessary for the adoption of a decision is unavailable.

7. The IACHR notes that the petitioner has not expanded or updated the information regarding his claims since December 1993. In 2011, the IACHR requested the petitioner for updated information warning that otherwise the case would be archived and it received no reply.

8. Having analyzed the case, the Commission considers that it does not possess sufficient elements to reach a decision on the petition and that the fact that the alleged victims have not been in contact constitutes evidence of a lack of interest in the case being processed. Consequently, pursuant to Article 48.b of the Convention and Article 42 of the IACHR Rules of Procedure, it decides to archive this petition.

Approved by the Inter-American Commission on Human Rights in the city of Mexico on the 15th day of the month of August, 2014. (Signed): Tracy Robinson, President; Rose-Marie Belle Antoine, First Vice-President; Felipe González, Second Vice President; José de Jesús Orozco Henríquez, Rosa María Ortiz, Paulo Vannuchi and James L. Cavallaro, Commissioners.