

TECHNICAL INFORMATION SHEET
CASE 12.961 F MIGUEL ÁNGEL CHINCHILLA ERAZO ET AL.
FRIENDLY SETTLEMENT REPORT No. 20/20
TOTAL COMPLIANCE
(HONDURAS)

I. SUMMARY OF THE CASE

Victim(s): Miguel Ángel Chinchilla Erazo Et Al.

Petitioner(s): José Marcelino Vargas

State: Honduras

Date negotiations began: November 2014

Date Friendly Settlement Agreement signed: June 28, 2019

Friendly Settlement Agreement Report No. [20/20](#), published on April 13, 2020

Estimated length of negotiations: 5 years, 5 months

Rapporteurship involved: N/A

Topics: Due legal guarantees/ judicial protection

Facts: The petitioners claimed that the State had violated the right to due process protected under Articles 8 and 25 of the American Convention, inasmuch as the alleged victims had been unjustifiably dismissed based on Decree 58-2001. According to the petitioners, this decree authorized the Honduran Congress to “dismiss police personnel without considerations of any kind.” In this regard, the petitioners stated that even though the ongoing purge of the National Police was necessary to improve its operation, the legal procedure established to that end should have been followed. Accordingly, they indicated that a regular administrative process, with all the guarantees of any criminal process, should have preceded the dismissal.

Rights declared admissible: The IACHR concluded that it was competent to examine the instant case and that the petition was admissible pursuant to Articles 8 (due legal guarantees) and 25 (judicial protection) of the American Convention on Human Rights, in connection with Articles 1(1) and 2 thereof.

II. PROCEDURAL ACTIVITY

1. The IACHR published the Friendly Settlement Agreement Report on April 13, 2020, indicating that the agreement had been complied with in full.

III. ANALYSIS OF COMPLIANCE WITH THE CLAUSES OF THE FRIENDLY SETTLEMENT AGREEMENT

Clause of the Agreement	Status of compliance
SIXTH: SATISFACTION OF THE PETITIONERS	

<p>The State of Honduras and the petitioners, through their legal representatives, and taking as a reference the scale applicable to the dismissed staff at the time Decree 58-2001 was issued, recognize and accept as compensation the individual sums listed below for each of the petitioners: Police and administrative staff: L320,000.00 Grades: L400,000.00 Officers: L700,000.00 The amounts listed will be paid in a single installment to each of the petitioners who have decided to join in this agreement.</p>	<p>Total¹</p>
<p>SEVENTH: PAYMENT OF FINANCIAL REPARATIONS</p>	
<p>Per the request made by the petitioners to have the amounts offered paid in a single installment, the State commits to disburse these sums in a single payment through the State Secretariat for Security no later than July 15, 2019, thereby covering in full the monetary compensation agreed. With that payment, the State of Honduras will have fully complied with its obligation to pay compensation for the alleged acts and will be relieved of any obligation related to future claims.</p>	<p>Total²</p>

IV. LEVEL OF COMPLIANCE OF THE CASE

2. The Commission declared full compliance with the case and ceased monitoring the friendly settlement agreement in the Friendly Settlement Report No. 20/20 published on April 13, 2020.

V. INDIVIDUAL AND STRUCTURAL OUTCOMES OF THE CASE

A. Individual outcomes of the case:

- The State paid financial compensation in full to the 24 beneficiaries of the friendly settlement agreement. This was corroborated through receipts furnished by the State showing payment of L320,000 (three hundred and twenty thousand lempiras) to 19 beneficiaries, L500,000 (five hundred thousand lempiras) to one beneficiary, and L700,000 (seven hundred thousand lempiras) to four beneficiaries. According to information provided by the State, it disbursed, in the form of financial compensation to the 24 beneficiaries of the friendly settlement agreement, a total of L9,405,000 (nine million four hundred and five thousand lempiras), or approximately \$378,089 (three hundred and seventy-eight thousand, eighty-nine dollars).

¹ IACHR, Report No. 20/20, Case 12.961 F. Friendly Settlement. Miguel Ángel Chinchilla Erazo Et Al., Honduras. April 13, 2020. Available at: <https://www.oas.org/en/iachr/decisions/2020/hosa12961fen.pdf>

² IACHR, Report No. 20/20, Case 12.961 F. Friendly Settlement. Miguel Ángel Chinchilla Erazo Et Al., Honduras. April 13, 2020. Available at: <https://www.oas.org/en/iachr/decisions/2020/hosa12961fen.pdf>