

**TECHNICAL INFORMATION SHEET
CASE 12.547 RIGOBERTO CACHO REYES
FRIENDLY SETTLEMENT REPORT N° 62/13
TOTAL COMPLIANCE
(HONDURAS)**

I. SUMMARY OF THE CASE

Victim (s): Rigoberto Cacho Reyes

Petitioner (s): José Antonio Ávila

State: Honduras

Admissibility Report No.: 28/06, published on March 14, 2006

Report on Friendly Settlement Agreement No.: 62/13, published on July 16, 2103

Related Rappoteurship: Rights of Persons Deprived of Liberty

Topics: Personal liberty/ judicial guarantees/ judicial protection

Facts: The petitioner alleged that Mr. Cacho Reyes had been deprived of his liberty for eight years, eight months, and 18 days, on the basis of unproven charges of illicit trafficking of narcotic drugs. Mr. Cacho Reyes had been absolved of all charges by a first instance judgment of March 27, 1998, which was subsequently upheld by the First Court of Appeals of Tegucigalpa. According to information submitted by the petitioner, Mr. Cacho Reyes had also initiated proceedings for pecuniary compensation against the State, which the Supreme Court had found inadmissible.

Rights Declared Admissible: The Commission decided that it was competent to hear the present case and that the petition was admissible in accordance with Articles 7 (right to personal liberty), 8 (right to a fair trial) and 25 (right to judicial protection) of the American Convention on Human Rights, in conjunction with Article 1.1 of the same legal instrument.

II. PROCEDURAL ACTIVITY

1. On February 11, 2009, the parties signed a friendly settlement agreement.
2. On July 16, 2013, the IACHR approved the friendly settlement agreement signed by the parties in Report No.62/13.

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

Agreement Clause	Status of Compliance
SECOND: AGREEMENT BETWEEN THE PARTIES	
In the context of the friendly settlement process conducted between the REPRESENTATIVE OF THE PETITIONER AND THE STATE OF HONDURAS , with the valuable assistance of the IACHR , the parties have reached a satisfactory agreement based on the State's acknowledgment of responsibility for the actions	Declarative Clause

<p>violating the human rights of Rigoberto Cacho Reyes (Case 12.547) described in in the above-mentioned admissibility report. With regard to the pecuniary aspect, the State of Honduras agrees to verify payment through the State Secretariat for the Finance Office, which shall initiate appropriate procedures upon submission to it of this duly signed instrument and shall complete them in the shortest possible time.</p>	
<p>THIRD: OBLIGATION TO MAKE REPARATION</p>	
<p>In view of the above acknowledgment, the State of Honduras and the representative of Mr. Rigoberto Cacho Reyes recognize and agree to an equitably determined compensatory amount to be paid in a lump sum of ONE HUNDRED FIFTY THOUSAND UNITED STATES DOLLARS (\$150,000.00) or its equivalent in Honduran currency, which shall cover any and all moral or material damages suffered by the victim and members of his family, as well as the related domestic and international expenses; and that, by paying this amount, the State of Honduras shall be released from all further liability under this heading. It is further agreed that, in the event of the appearance of a family member entitled to compensation, such compensation shall be recognized and paid by Mr. Rigoberto Cacho Reyes.</p>	<p>Total¹</p>

IV. LEVEL OF COMPLIANCE OF THE CASE

3. The Commission declared total compliance with the case and ceased monitoring the friendly settlement agreement in its Annual Report 2014.

V. INDIVIDUAL AND STRUCTURAL OUTCOMES OF THE CASE

A. Individual outcomes of the case:

- The State paid compensatory damages to the victim in the sum of two million eight hundred fifty-four thousand one hundred and ten lempiras (l 2,854.110.00), equivalent to one hundred fifty thousand US dollars.

¹ See IACHR, Report N° 62/13, Case 12.547, Friendly Settlement, Rigoberto Cacho Reyes, Honduras, July 16, 2013.