

**TECHNICAL INFORMATION SHEET  
CASE N° 7.956 LUIS ALONZO MONGE  
FRIENDLY SETTLEMENT REPORT N° 5/85  
TOTAL COMPLIANCE  
(HONDURAS)**

**I. SUMMARY OF THE CASE**

**Victim (s):** Luis Alonzo Monge

**Petitioner (s):** Mauricio Villeda Bermudez

**State:** Honduras

**Admissibility Report No.:** N/A

**Report on Friendly Settlement Agreement No.:** 5/85, published on March 5, 1985

**Related Rapporteurship:** N/A

**Topics:** Judicial Guarantees/ right to nationality / judicial protection

**Facts:** On January 19, 1982, the Inter-American Commission received a complaint setting out the arbitrary deportation and imprisonment on July 21, 1981, of Mr. Luis Alonzo Monge, a Honduran citizen, without a due trial by a competent authority. He was accused of being a Salvadoran citizen, despite the fact that he had submitted personal documents certifying his birth in Honduras and being the son of a Honduran mother. Consequently, he filed a petition for habeas corpus and the authorities denied the fact of his detention. He also filed a petition for constitutional protection (right of *amparo*), which was declared unfounded.

**II. PROCEDURAL ACTIVITY**

1. On January 19, 1982, the IACHR received a complaint for the alleged violation of judicial guarantees, the right to nationality and judicial protection of Mr. Luis Alonzo Monge for his expatriation, accusation and prosecution without due process guarantees.

2. The Commission offered its good offices with a view to a friendly settlement on February 9, 1983, which was accepted by the petitioner on April 4 of that year. The State never accepted the Commission's offer, nor did the parties sign a friendly settlement agreement. However, the petitioners sought the recognition of the nationality of Mr. Luis Monge as their sole claim, for which the Honduran State began a series of proceedings ensure said recognition.

3. In this regard, the Commission indicated in its Report 5/85 that, having satisfied the petitioners' claims during the exchanges in the negotiation process, even without a friendly settlement agreement, the Commission published its Report giving account of the detail of the negotiation process in accordance with Article 48 of the Regulations.

4. In its Report, the Commission considered:

1. As is expressly stated in the background information given above, that the Commission on its own initiative carried out negotiations with the parties involved in this case in an effort to reach a friendly settlement, based on the respect for human rights as set out in the American Convention on Human Rights.

2. That the Government of Honduras has expressed its willingness to settle this case and to this end has decided to allow Mr. Monge to enter Honduran territory in order to plead and prove his Honduran nationality according to law.

3. That the claimant informed the Commission that he accepted the conditions proposed by the Government which had been duly notified to him

4. That Article 49 of the American Convention on Human Rights establishes that if a friendly settlement has been reached in accordance with paragraph 1.f of Articles 48 of the Convention, the Commission shall draw up a report which shall be transmitted to the States Parties to the Convention and communicated to the Secretary General of the Organization of American States for publication.

[AND DECIDED]:

1. To exhort the Government of Honduras to grant Mr. Luis Alonzo Monge a safe conduct to enable him to enter Honduran territory, in accordance with the terms of its communication of November 23, 1984.

2. To exhort the claimant in this matter to carry out the necessary legal procedures to obtain Honduran nationality under the conditions accepted by the Government of Honduras

3. To consider the friendly settlement procedure followed in the matter of Mr. Luis Alonzo Monge's nationality completed

4. To express to the Government of Honduras and to the claimant the Commission's satisfaction at having reached a friendly settlement of this matter based on the respect of human rights.

5. To thank the parties involved in this case for the cooperation they gave the Inter-American Commission on Human Rights in the performance of its duties.

6. To communicate this report to the Secretary General of the Organization of American States for publication, in accordance with Article 49 of the American Convention on Human Rights and Article 42 of the Rules of Procedure of the Commission.

### **III. LEVEL OF COMPLIANCE OF THE CASE**

5. On November 23, 1984, the State informed Mr. Luis Monge that he would be allowed to enter Honduras to apply for Honduran citizenship, on account of his mother being a Honduran by birth. This information was sent by the State and the Commission received no observations from the petitioner.

6. On March 5, 1985, during its 64th period of sessions, the Commission deemed itself satisfied with the agreement and decided to conclude the friendly settlement proceedings relating to the nationality of Mr. Luis Monge.

**V. INDIVIDUAL AND STRUCTURAL OUTCOMES OF THE CASE**

**A. Individual outcomes of the case:**

- The State allowed Mr. Monge to enter Honduras to apply for Honduran citizenship, according to the appropriate legal requirements.