

**TECHNICAL INFORMATION SHEET**  
**CASE N° 12.174 ISRAEL GERARDO PAREDES ACOSTA**  
**REPORT ON FRIENDLY SETTLEMENT AGREEMENT N° 31/12**  
**TOTAL COMPLIANCE**  
**(THE DOMINICAN REPUBLIC)**

**I. SUMMARY OF THE CASE**

**Victim (s):** Israel Gerardo Paredes Acosta  
**Petitioner (s):** Israel Gerardo Paredes Acosta  
**State:** The Dominican Republic  
**Admissibility Report No.:** 48/06 published on March 15, 2006  
**Report on Friendly Settlement Agreement No.:** 31/12 published on March 20, 2012  
**Related Rapporteurship:** N/A  
**Topics:** Humane Treatment/ Personal liberty/ Right to privacy/ Judicial guarantees/ Right to property/ Judicial protection

**Facts:** The petitioner alleged that on March 6, 1992, while he was at his business, working, a group of police officers entered and searched the premises, detained him and seized a number of items. He also reported that other searches of his business were conducted, and that he was accused by before the local and international press as a suspect of assembling bombs to commit an act of sabotage. He also alleged that he endured torture and cruel and inhuman treatment, and described having been left hanging in a cell, being beaten, and brought to the verge of starvation. By the time the judicial authorities declared his innocence, the alleged victim had spent seven years in prison. As of the date on which the petition was filed, his personal belongings that were confiscated during the searches had not yet been returned to the alleged victim.

**Rights Declared Admissible:** The Commission adopted Admissibility Report No.48/06 whose petition alleged violations of the rights enshrined in Articles 5 (right to humane treatment), 7 (right to personal liberty), 8 (right to a fair trial), 11 (right to privacy), 21 (right to property) and 25 (right to judicial protection) of the Convention, in conjunction with Article 1.1 of the said treaty.

**II. PROCEDURAL ACTIVITY**

1. On August 14, 2008, the parties signed a friendly settlement agreement. On August 19, 2008, the petitioner informed the IACHR that he had formalized and signed the agreement.
2. On March 20, 2012, the IACHR approved the friendly settlement agreement signed by the parties in Report No. 31/12.

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

Agreement Clause	Status of Compliance
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<b>THREE:</b> The parties' commitment;	
I) <b>COMMITMENTS UNDERTAKEN BY THE STATE:</b> The Dominican State, for its part, pledges faithful and strict compliance with the following:	
<b>THE STATE</b> pledges to faithfully and strictly comply with the following obligations within the space of three (03) working days from the date on which the present Friendly Settlement is signed: a) To pay <b>THE PETITIONER</b> the sum of <b>THREE MILLION THREE HUNDRED FIFTY-EIGHT THOUSAND DOMINICAN PESOS</b> (RD\$ 3,358,000.00) which represents payment in full for any damages to the confiscated goods that the National Police took from the business known as <b>SOLUCIONES MAGICAS C. A.</b> , owned by <b>THE PETITIONER</b> , and the deterioration and disuse caused by the negligent custody of the National Police.	<b>Total<sup>1</sup></b>
b) Once the present settlement agreement is signed, <b>THE STATE</b> shall, through the Secretariat of State for Foreign Affairs, notify the Inter-American Commission on Human Rights that petition <b>12.174, ISRAEL GERARDO PAREDES AGOSTA</b> , has become the subject of a friendly settlement agreement under Article 41 of the Rules of Procedure of the IACHR, to find a legal solution to the petition in question. This notification shall be made within three days following the signing of the present agreement.	<b>Total<sup>2</sup></b>
c) Once all the commitments undertaken by the two parties have been honored, <b>THE STATE</b> shall, through the Secretariat of State for Foreign Affairs, request that the IACHR issue a Friendly Settlement Report pursuant to Article 49 of the American Convention on Human Rights, so as to bring the case opened under petition <b>12.174 ISRAEL GERARDO PAREDES ACOSTA</b> to its legal conclusion.	<b>Total<sup>3</sup></b>
d) <b>THE STATE</b> must take all measures to ensure that the type of acts alleged by the <b>PETITIONER</b> do not recur and to that end shall: a) keep up the training provided to members of the National Police Force by its Human Dignity Institute and the training provided to members of the military through the Armed Forces' Military Institute of Human Rights (IMDHFFAA); 2) guarantee that access to justice is never again obstructed and that prompt execution remedies are respected.	<b>Total<sup>4</sup></b>

#### 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 Report No.31/12.

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

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

- The State, through the Chief of the National Police, Major General Ing. Rafael Guillermo Guzmán Fermín, paid over to Mr. Paredes Acosta the sum of three million three hundred

<sup>1</sup> See IACHR, Report No. N° 31/12, Case 12.174, Friendly Settlement, Israel Gerardo Paredes Acosta, Dominican Republic, March 20, 2012.

<sup>2</sup> See IACHR, Report No. N° 31/12, Case 12.174, Friendly Settlement, Israel Gerardo Paredes Acosta, Dominican Republic, March 20, 2012.

<sup>3</sup> See IACHR, Report No. N° 31/12, Case 12.174, Friendly Settlement, Israel Gerardo Paredes Acosta, Dominican Republic, March 20, 2012.

<sup>4</sup> See IACHR, Report No. N° 31/12, Case 12.174, Friendly Settlement, Israel Gerardo Paredes Acosta, Dominican Republic, March 20, 2012.

fifty-eight thousand Dominican pesos (RD\$ 3,358,000) with a check issued by the *Banco de Reservas de la República Dominicana* on its own funds.

**B. Structural outcomes of the case:**

- The State created special educational institutions for instructing in human rights, working with the national security bodies, which include the National Police Force's Human Dignity Institute and the Armed Forces' Military Institute of Human Rights.