

**ORDER OF THE PRESIDENT OF THE
INTER-AMERICAN COURT DE DERECHOS HUMANOS**

OF DECEMBER 16th, 2022

CASE OF BOYCE ET AL. AND CASE OF DACOSTA CADOGAN V. BARBADOS

REIMBURSEMENT TO THE VICTIMS' LEGAL ASSISTANCE FUND

HAVING SEEN:

1. The judgments on preliminary objections, merits, reparations and costs (hereinafter "the judgments") delivered by the Inter-American Court of Human Rights (hereinafter "the Inter-American Court" or "the Court") on November 20, 2007,¹ in the case of *Boyce et al.* and on September 24, 2009,² in the case of *DaCosta Cadogan* (hereinafter "the two cases"), both against the State of Barbados (hereinafter "Barbados" or "the State").
2. The order on reimbursement of the Victims' Legal Assistance Fund (hereinafter "the Legal Assistance Fund") issued by the Court on November 14, 2017, jointly for the two cases, in which it required the State to reimburse the said Fund, within six months, for specific disbursements made in 2015 in relation to a hearing on monitoring compliance with judgment.³
3. The orders on monitoring compliance with judgment and reimbursement of the Victims' Legal Assistance Fund issued by the Court on March 9, 2020, for each case, in which it reminded the State that the time frame for making this reimbursement to the Fund had expired and required the State to make the reimbursement as soon as possible.
4. The six notes of the Secretariat of the Inter-American Court (hereinafter "the Secretariat") issued between December 2020 and August 2022, in which it reminded the State that the said reimbursement remained pending.
5. The transfer made by Barbados to the Inter-American Court's bank account on August 8, 2022 (*infra* third considering paragraph).

¹ Cf. *Case of Boyce et al. v. Barbados. Preliminary objection, merits, reparations and costs*. Judgment of November 20, 2007. Series C No. 169. The complete text of the judgment is available at: https://www.corteidh.or.cr/docs/casos/articulos/seriec_169_ing.pdf. The judgment was notified to the State on December 17, 2007.

² Cf. *Case of Dacosta Cadogan v. Barbados. Preliminary objections, merits, reparations and costs*. Judgment of September 24, 2009. Series C No. 204. The complete text of the judgment is available at: https://www.corteidh.or.cr/docs/casos/articulos/seriec_204_ing.pdf. The judgment was notified to the State on October 20, 2009.

³ Available at: http://www.corteidh.or.cr/docs/asuntos/boycedaco_fv_17.pdf.

CONSIDERING THAT:

1. During its 133rd regular session, the plenum of Inter-American Court decided to delegate to its President assessment of matters concerning the payment of reimbursements to the Victims' Legal Assistance Fund in every case.
2. In the first operative paragraph and the fourth considering paragraph of the order of November 14, 2017 (*supra* having seen paragraph 2), the State was ordered to reimburse the Legal Assistance Fund the sum of US\$1,999.60 (one thousand nine hundred and ninety-nine United States dollars and sixty cents) for the disbursement made in relation to the payment of airfares for the victims' representatives to appear at the private monitoring hearing held jointly for the two cases, which had to be suspended a few days before it was held at the State's request. The Court determined that this sum should be reimbursed within six months of notification of this order.
3. The President notes that, on August 8, 2022, Barbados made a transfer to the Inter-American Court's bank account for the amount established in the order on reimbursement of the Legal Assistance Fund.
4. Consequently, the President declares that the State has complied fully with the provisions of the first operative paragraph and the fourth considering paragraph of the order of November 14, 2017, regarding reimbursement of the Victims' Legal Assistance Fund.
5. In addition, the President underscores the willingness shown by Barbados to comply with its international obligations by reimbursing the said expenditure to the Legal Assistance Fund. Such reimbursements contribute to the sustainability of the Fund, whose aim is to provide financial assistance to presumed victims who do not have the necessary resources to cover the costs of litigation before the Inter-American Court, thus ensuring their access to justice under equal conditions.

THEREFORE:

THE PRESIDENT OF THE INTER-AMERICAN COURT OF HUMAN RIGHTS,

in the exercise of his powers under Article 68(1) of the American Convention, and Articles 4, 31(2) and 69 of the Rules of Procedure of the Inter-American Court, together with articles 1, 4 and 5 of the Rules for the Operation of the Victims' Legal Assistance Fund,

DECIDES:

1. To declare that the State of Barbados has complied with the reimbursement to the Victims' Legal Assistance Fund of the Inter-American Court of Human Rights of the sum ordered in the first operative paragraph and the fourth considering paragraph of the order on reimbursement to the Victims' Legal Assistance Fund of November 14, 2017.
2. To require the Secretariat of the Inter-American Court of Human Rights to notify this order to the State of Barbados, the representatives of the victims in the two cases, and the Inter-American Commission on Human Rights.

Ricardo C. Pérez Manrique
President

Pablo Saavedra Alessandri
Secretary

So ordered,

Ricardo C. Pérez Manrique
President

Pablo Saavedra Alessandri
Secretary