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Session: Twenty-Fifth Session (March 1971)
Title/Style of Cause: Gabriel Albuerne v. Nicaragua
Doc. Type: Decision
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[1] Communication No. 1687, dated July 6, 1970, denouncing the arbitrary arrest and detention since October 1964 of Mr. Gabriel Albuerne, a Cuban citizen.

[2] The Commission requested the corresponding information from the Government of Nicaragua, in accordance with Articles 42 and 44 of its Regulations, in a note dated November 23, 1970.

[3] The Government of Nicaragua, in a note dated February 19, 1971, replied stating that Mr. Albuerne had entered Nicaragua without papers, for which reason the immigration authorities of that country had ordered his deportation, which it had been unable to carry out because of the impossibility of any other country agreeing to give him asylum. It stated further that the authorities were prepared to allow Mr. Albuerne to leave upon another country's consent to admit him.

[4] At the Twenty-fifth Session (March 1971) the Commission decided, on the basis of the report presented by the rapporteur of the case, Dr. Gabino Fraga, to refer the case to the Regional Office of the United Nations High Commission for Refugees in Latin America, so that a solution favorable to the interested party might be sought, inasmuch as there had been no violation of a human right by the Government of Nicaragua.

[5] In accordance with this decision, the case was referred to the Regional Representative for Refugees by a note dated April 8, 1971.

[6] The Regional Representative, in communications of August 6 and October 8, 1971, has reported on the representations that are being made before the authorities of Nicaragua and the United States of America, the country to which Mr. Albuerne wishes to go, in order to arrive at an early solution.