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Institution:	Inter-American Commission on Human Rights
File Number(s):	Case No. 1740
Session:	Thirtieth Session (16 - 27 April 1973)
Title/Style of Cause:	Manoel da Conceição Santos and Luis Dos Santos v. Brazil
Doc. Type:	Decision
Decided by:	President: Dr. Justino Jimenez de Aréchaga (Uruguay) Vice-President: Dr. Carlos A. Dunshee de Abranches (Brazil) Members: Professor Manuel Bianchi (Chile); Dr. Gabino Fraga (Mexico); Dr. Robert Woodward (United States); Dr. Genaro R. Carrio (Argentina); Dr. Andrés Aguilar (Venezuela)
Dated:	16 - 27 April 1973
Citation:	Conceição Santos v. Braz., Case 1740, Inter-Am. C.H.R., OEA/Ser.L/V/II.32, doc. 3 rev. 2 (1973)
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[1] Case No. 1740, March 22, 1972, denouncing the arrest of two farm leaders, Manoel da Conceição Santos and Luis Dos Santos, of the municipality of Pindare-Mirim, State of Maranhão, Brazil, on January 23, 1972, the two being charged with promoting political disturbances in that place. According to the claim, the prisoners were transferred on February 9, 1972, to the headquarters of the 4th Infantry Battalion, in San Luis, capital of the aforementioned state, where they were subjected to abuse by military authorities.

[2] In a note dated April 12, 1972, the Commission requested the Government of Brazil to provide the pertinent information, in accordance with articles 42 and 44 of the Regulations.

[3] The Government of Brazil, in a note dated December 22, 1972, from its Mission to the OAS, provided the following information on the case:

- i. A report dated June 20, 1972, from the federal agent to the Chief of the Federal Public Service, on the events that had taken place in the municipality of Pindare-Mirim.
- ii. A copy of the warrants for the arrest of Manoel da Conceição and Luis Dos Santos issued by the Department of Security of the State of Maranhão, Division of Political and Social Order, on January 26, 1972, in San Luis, Maranhão, specifying the weapons and propaganda found in their possession.
- iii. A report of January 23, 1972, from the Division of Political and Social Order, Department of Security, on the case, requesting the preventive imprisonment of Luis Moraes dos Santos and Manoel da Conceição Santos.
- iv. The sentence handed down by the Military Judge imposing preventive imprisonment on Luis Moraes dos Santos and Manoel da Conceição Santos.
- v. A telegram from the Military Judge to the Chief of Political and Social Order (DOPS) in San Luis, Maranhão; transmitting the order for the release of Manoel da Conceição Santos.

[4] The Commission examined this case, having available the documents provided by the

Government of Brazil, during its Thirtieth Session (April 1973), having appointed Dr. Robert F. Woodward rapporteur for the case.

During that same session, and on the basis of the rapporteur's recommendation, the following was decided:

[i] To declare inadmissible in accordance with Article 9 (bis) d. of the Statute and Article 54 of the Regulations, the part of the claim dealing with Mr. Luis Dos Santos, inasmuch as a proceeding before judicial authority in Brazil was then pending.

[ii] To file without prejudice the part of the claim referring to Mr. Manoel da Conceição Santos; pursuant to articles 38 and 54 of the Regulations of the Commission, the Secretariat was to request the claimants to complete their denunciation, and if this were not completed within a reasonable period of time, the Secretariat was authorized to file it without further action.

[5] This decision was communicated to the Government of Brazil by a note dated June 15, 1973, and to the claimants by a letter dated June 27, 1973.

[6] The claimants having failed to complete their denunciation with regard to Mr. Manoel da Conceição Santos, the Secretariat, by virtue of the aforementioned decision, filed the case for no further action.