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Institution:	Inter-American Commission on Human Rights
File Number(s):	Case No. 1751
Session:	Thirty-First Session (15 - 25 October 1973)
Title/Style of Cause:	Per Viktorsen Fjellhammer v. United States
Doc. Type:	Resolution
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) For health reasons, Dr. Gabino Fraga was unable to attend the Thirty-First Session.
Dated:	25 October 1973
Citation:	Fjellhammer v. U.S., Case 1751, Inter-Am. C.H.R., OEA/Ser.L/V/II.32, doc. 3 rev. 2 (1973)
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[1] Case 1751, August 25, 1972, denouncing the violation of the Fourth, Fifth, Sixth, and Fourteenth Amendments to the Constitution of the United States in the criminal case against Viktorsen Fjellhammer, a Norwegian citizen detained at McNeil Island Prison in Steilacoom, state of Washington.

[2] The claimant was requested to complete the denunciation, inasmuch as it failed to provide all the data specified in Article 54 of the Regulations, which requires the Commission, before examining a case, to verify whether the internal legal procedures and remedies of the state against which the claim was made had been exhausted.

[3] By a communication dated September 11, 1972, the claimant reported that an appeal based on factual error in the proceedings brought against him was pending and that, during those proceedings, he had been denied the right to have an interpreter.

[4] At its Twenty-ninth Session (October 1972), the Commission considered the case and, on the basis of the recommendations of the rapporteur (Dr. Andrés Aguilar, who presented a report, doc.23-29, res.), decided to request the claimant to furnish additional data and criteria on the exhaustion of internal remedies, especially on the absence of an interpreter at the proceedings. To that end, it sent Mr. Fjellhammer a communication dated November 15, 1972.

[5] Subsequently the claimant sent the CIDH Secretariat two letters (November 28 and December 5, 1972) in which he reiterated his claim but did not enclose the information necessary for a proper examination of the matter.

[6] At its Thirty-first Session (October 1973), the Commission examined the case on its merits, on the basis of the aforementioned information, and requested the rapporteur to submit a report containing

such recommendations as he deemed appropriate.

The rapporteur submitted a report (doc.41-21, res.), together with a draft resolution (doc.42-31, res.), on the basis of which the Commission approved the following resolution (OEA/Ser.L/V/II.31, doc.40 rev.1, October 25, 1973):

THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS,

HAVING EXAMINED:

The denunciation made by Mr. Per Viktorsen Fjellhammer, by letter of August 24, 1972, concerning alleged violations of his rights in the proceedings brought against him in the Federal courts of the United States of America,

RESOLVES:

1. To declare that there has been no evidence presented that would permit consideration that the violations denounced in this case had occurred.
2. To file the case without further action.

The claimant was advised of this resolution in a letter dated December 12, 1973.