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Institution:	Inter-American Commission on Human Rights
File Number(s):	Case No. 1744
Session:	Thirty-Fourth Session (15 – 25 October 1974)
Title/Style of Cause:	Luis Batalla v. Uruguay
Doc. Type:	Decision
Decided by:	President: Dr. Andrés Aguilar, President (Venezuela) Vice-President: Dr. Carlos A. Dunshee de Abranches (Brazil) Members: Professor Manuel Bianchi (Chile); Dr. Gabino Fraga (Mexico); Dr. Justino Jimenez de Aréchaga (Uruguay); Mr. Robert F. Woodward (United States); Dr. Genaro R. Carrio (Argentina)
Dated:	15 – 25 October 1974
Citation:	Batalla v. Uru., Case 1744, Inter-Am. C.H.R., OEA/Ser.L/V/II.34, doc. 31 rev. 1 (1974)
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[1] Case 1744. June 29, 1973, reporting the death in prison, in an army barracks, of Mr. Luis Batalla, a trade union leader, age 32 years, and a militant of the so-called "Frente Amplio".

[2] In a note dated February 15, 1973, the Government provided information on this case that had been requested by the CIDH in a note dated August 22, 1972.

[3] The Commission examined case 1744 at its thirty-first session (April 1973) together with the information provided by the Government of Uruguay and decided to declare this case inadmissible, in accordance with Article 9 (bis) d of its Statute and Article 54 of its Rules of Procedure, without prejudice to requesting the Uruguay an Government to provide information on the result of the judicial action by the competent national authorities which at that time, were pending. This decision was communicated to the Government of Uruguay on June 11, 1973.

[4] However, at the thirty-first session (October 1973), in view of new information presented by the complainants, the Commission decided to reopen its examination of the matter and to repeat to the Government concerned its request for the pertinent information. To this end, a note was sent on December 12, 1973. This request was again repeated on June 3, 1974, in accordance with the decision taken at the thirty-second session (April of that year).

[5] The Government of Uruguay, through its Mission to the OAS, in a note dated September 9, 1974 (No. 340/74), replied to the above-mentioned request. The pertinent parts of that reply are transcribed below:

[6] "The Military Investigating Judge of the Third Ward, Colonel Dr. Federico Silva. Ledesma, under whose Jurisdiction this case falls, in accordance with the legislation in force, has ordered various steps, including a hearing of the prosecutors, that are in present underway, among which mention must be made of the deposition of witnesses and medical reports and expertise for the purpose of clarifying and making

effective, in accordance with the law, the responsibilities to which the public servants acting in this case may at any time have become liable.

"Also, it should be pointed out that the time involved by the follow-up of the measures ordered by the competent judicial authority and by the processing of the respective dossier, must be taken into account, bearing in mind the caseload of the Military Courts as a result of the subversive activity with which, as is well known, the Republic has been and is confronted."

[7] The Commission continued its examination of Case 1744 at its thirty-fourth session (October 1974), together with the information provided by the Government of Uruguay, and decided to transmit the pertinent parts of that information to the complainants and to postpone its examination of the merits of the case. To that end, it wrote to the complainants on November 19, 1974.