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Institution:	Inter-American Commission on Human Rights
File Number(s):	Case No. 1769
Session:	Thirty-Fourth Session (15 – 25 October 1974)
Title/Style of Cause:	François Jentel v. Brazil
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:	Jentel v. Braz., Case 1769, Inter-Am. C.H.R., OEA/Ser.L/V/II.34, doc. 31 rev. 1 (1974)
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[1] By a communicator dated June 26, 1973, supplemented on July 7 and 17 and on August 23 of the same year, the following denunciation was made:

That in the parish of Santa Terezinha, Diocese of San Felix, State of Motto Grosso, the parish priest, Father François Jentel, had been sentenced to 10 years imprisonment for alleged commission of subversive acts. It was also reported that a Catholic bishop and other members of the priesthood of that diocese had been arrested in June and that some of them had been mistreated. In addition, illegal searches of documents belonging to the Bishopric had been made.

[2] In a note dated December 4, 1973, the Commission requested the Government of Brazil to provide the pertinent information, in accordance with Articles 42 and 44 of the Rules of Procedure.

[3] At the thirty-first session (October 1973) the examination of the case was postponed since the period of 180 days provided for in Article 51 of the Rules of Procedure, which was allowed the Government of Brazil to supply the pertinent information, was still running. This decision was taken without prejudice to requesting that Government to provide further information on the status of the appeals filed by the claimants against the judgment pronounced against Father Fançois Jentel.

[4] In accordance with that decision, the Commission wrote to the Government of Brazil on January 9, 1974. Also, in a letter dated January 14, 1974, the claimants were informed of the processing of the matter.

[5] At the thirty-second session (April 1974), the Commission, noting that the Government of Brazil had not yet replied to the requests made on September 4, 1973 and January 9, 1974, and that the period provided for in Article 51 of the Rules of Procedure for supplying that information had already expired, decided to again request the above-mentioned Government to provide the information and also to request the claimants to provide further information with respect to the status of the appeal filed against the

Judgment against Father François Jentel; what investigation had been made of the arrest of the Catholic archbishop, Pedro Casaldáliga and what Judicial procedures had been initiated concerning the other facts mentioned in the denunciation.

[6] In compliance with the above-mentioned decisions, the Commission addressed the Government of Brazil on May 29, 1974, and the claimants on the same dated.

[7] At that stage of the case, the Commission continued the examination of it at its thirty-fourth session (October 1974) and took note of the fact that, with respect to the situation of Father François Jentel, the Higher Military Court of Brazil had not confirmed the decision of the lower court and, consequently, the case against that priest had been stayed. However, the CIDH noted that the Government of Brazil had not replied to the above-mentioned requests for information.

After a lengthy examination of the status of the case, the Commission decided as follows:

- a. To file that part of the claim referring to Father François Jentel;
- b. To continue the examination of that part of the denunciation referring to other matters and to again request the Government of Brazil to send the information requested and to warn it of the expiry of the period provided for in Article 51 of the Rules of Procedure.

[8] In implementation of this decision, the Commission addressed the Government of Brazil in a note dated December 18, 1974. Also, in a letter dated November 14, 1974, it informed the claimants of this decision.