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Institution:	Inter-American Commission on Human Rights
File Number(s):	Case No. 1885
Session:	Thirty-Fifth Session (20 - 30 May 1975)
Title/Style of Cause:	Julio Laks Feller and Rosalía Martínez v. Chile
Doc. Type:	Resolution
Decided by:	President: Dr. Andrés Aguilar (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:	20 - 30 May 1975
Citation:	Laks Feller v. Chile, Case 1885, Inter-Am. C.H.R., OEA/Ser.L/V/II.37, doc. 20, corr. 1 (1975)
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[1] 1885, of October 24, 1974, denounces the arbitrary arrest of Mr. Julio Laks Feller and his wife, Rosalía Martínez, on September 22 of that year. It is alleged that the individuals were arrested, were imprisoned in "Tres Alamos", Santiago, and were beaten and submitted to various forms of tortures.

[2] In a cable of October 30, 1974, the Commission asked the Government of Chile to provide the appropriate information. A copy of that cable was transmitted to the Delegation of Chile to the OAS on October 31, 1974.

[3] In a letter dated November 1, 1974, the claimant was informed of the steps taken in connection with the denunciation.

[4] In a note dated December 19, 1974 (No. 172), the Government of Chile replied to that request for information. The pertinent parts of that request appear below:

"In connection with this matter I am in a position to inform you that Mrs. Rosalía Martínez is being held in Tres Alamos by virtue of the powers that the State of Siege confers upon the Executive Power.

"For his part, Mr. Julio Laks was expelled from the country on December 5, 1974, by virtue of Decree No. 1846.

"The Government categorically denies the fact that Mr. and Mrs. Martínez have been beaten and tortured and Mr. Bianchi, himself a member of the Commission, was able to verify, according to the statement he made on the occasion of his visit to Tres Alamos.

"This Ministry spoke with Mr. Bianchi on the question of Mr. Laks and his wife, and he stated that they were in "very good health and spirit", and "they have not made any allegation with regard to mistreatment or food". He stated that he had informed the Commission to that effect in a letter of November 26, 1974.

"The Government of Chile again wishes to emphasize how the claimants took advantage of every opportunity to lie and denigrate the Government, distorting the present situation and making it appear to be a violation of human rights."

[5] "In a note of January 7, 1975, the Secretariat acknowledged receipt to the Government of Chile.

[6] In a communication of that same date, the claimant was provided the pertinent part of the reply from the Government of Chile.

[7] The Commission examined this case during its thirty-fifth session (May 1975), together with the information provided by the Government of Chile. It appointed Dr. Carlos A. Dunshee de Abranches as rapporteur. It also took cognizance of the observations made by Professor Manuel Bianchi in which he stated that he would abstain from taking part in the examination of the matter.

During that same session the rapporteur presented a report (doc. 29-35). The Commission decided to file the case without prejudice to reopening examination thereof should the claimant present his observations on the information provided by the Government of Chile within a reasonable period of time.

[8] The Government of Chile was informed of this decision through a note dated August 5, 1975. The claimant was informed through a note of August 19, 1975.