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| Institution: | Inter-American Commission on Human Rights |
| File Number(s): | Case No. 1900 |
| Session: | Thirty-Fifth Session (20 - 30 May 1975) |
| Title/Style of Cause: | Carlos Rodríguez Araya, Cecilia Gabriela Castro Salvadores and David Silberman v. Chile |
| Doc. Type: | Decision |
| 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: | Rodríguez Araya v. Chile, Case 1900, Inter-Am. C.H.R., OEA/Ser.L/V/II.37, doc. 20, corr. 1 (1975) |
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[1] 1900, of January 3, 1975, denounces the arrest of Mr. Carlos Rodríguez Araya and Mrs. Cecilia Gabriela Castro Salvadores, in Santiago, on November 17, 1974, with no knowledge as to their whereabouts. On December 10, the Court of Appeals of Santiago allegedly rejected the writ of habeas corpus.

It also claims that Mr. David Silberman, who had been arrested, had been removed to another locale without being given further information as to his whereabouts.

[2] In a note of February 4, 1975, the Commission requested the Government of Chile to provide the appropriate information. A copy of that note was transmitted to the Chilean Delegation to the OAS on that same date.

[3] In a letter of February 7, 1975, the claimants were informed of the steps taken in connection with the denunciation.

[4] In a note of March 19, 1975 (No.5188), the Government of Chile replied to the request for information filed by the Commission. The pertinent parts appear below:

"3. Juan Carlos Rodríguez Araya. This individual is at liberty.

"4. Cecilia Gaurelia Castro. There is no information on record to the effect that this individual was ever arrested.

"5. David Silberman. The appropriate inquiries are being conducted in order to establish his current status. As soon as information is available, this will be transmitted to the Commission.

[5] In a note of April 7, 1975, the Secretariat acknowledged receipt of the note sent by the Government of Chile. A copy of that note was transmitted to the Delegation of Chile to the OAS on that

same day. In a communication dated April 7, 1975, the pertinent parts of the reply received from the Chilean Government were transmitted to the claimants.

[6] The Commission examined the case in reference during the course of its thirty-fifth session (May 1975), together with the information provided by the Government of Chile and additional information received from the claimant. It decided:

- a) to remove the information on Mr. David Silberman from file 1900 in order to add it to the file on that case (No. 1931), and to address a note to the Government of Chile repeating the request for the information offered by the Government of Chile on the status of Mr. Silberman, through its note of March 19 (No. 5188) :
- b) to instruct Dr. Gabino Fraga to prepare a draft note on this point to be considered while examining the specific case of Mr. Silberman, and
- c) to file case 1900.

[7] Pursuant to point c of this decision a note was sent to the Government of Chile on August 6, 1975, and to the claimant on August 18.