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Institution:	Inter-American Commission on Human Rights
File Number(s):	Case No. 1752
Session:	Thirty-Fifth Session (20 - 30 May 1975)
Title/Style of Cause:	Unknown v. United States
Doc. Type:	Report
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:	Unknown v. United States, Case 1752, Inter-Am. C.H.R., OEA/Ser.L/V/II.37, doc. 20, corr. 1 (1975)
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[1] 1752, presented through a communication dated September 7, 1972, denounces, in summary, the following matters, among others.

- i. In June 1967 the claimants, residents of the State of New Mexico and United States citizens, were the victims of the following: arbitrary arrest; prohibited from peaceful meetings and from joining with others to promote, implement and protect common interests; house searches without the formalities provided for under the law, thereby violating the right of the inviolability of the house.
- ii. All internal legal remedies have been exhausted in this case.
- iii. The general status of human rights of Spanish speaking United States citizens residing in the Southwest should be studied.

[2] In view of the fact that the communication did not provide all the information needed to enable the Commission to study it, and for the purposes set forth in Article 54 of its Regulations, the Secretariat requested the claimants to provide additional information.

[3] Through a communication dated September 26, 1972, the claimant provided the additional information.

[4] In a note dated December 19, 1973, the Commission requested the Government of the United States to provide the appropriate information in accordance with Article 42 and 44 of this Regulation.

[5] During its thirty-first session (October 1973), the Commission approved a resolution on this case which was brought to the attention of the Government of the United States on December 19, 1973, and to the attention of the claimant on January 10, 1974.[1]

[6] In a note of June 17, 1974, the Government of the United States replied to the request for information filed by the CIDH, stating, in summary, the following:

a) That the request for information of the Commission did not clearly specify the kind or type of information the CIDH wished to obtain concerning situations such as that described in the report, since the human rights embodied in the American Declaration of the Rights and Duties of Man, allegedly violated in connection with events that occurred in June, 1967, cited by the complainants, were basically the same rights that, in accordance with the Constitution of the United States of America, were under the protection of the competent courts of the country.

b) That, furthermore, the Supreme Court had, within its competence, jurisdiction over all issues involving discrimination of any kind, in particular those relating to the right to equality before the law, as shown in the jurisprudence of many cases and,

c) That, consequently, if the CIDH wished to receive further information about the specific report it considered appropriate to transmit to the Government of the United States, that Government would be willing to supply all available or pertinent information.

[7] This information was supplemented by the Department of State in a note dated October 15, 1974, which was transmitted by the Ambassador of the United States to the OAS. That note was accompanied by a Memorandum in which it was stated that the complainants had not even tried to exhaust the internal remedies established in the laws of the United States for the protection of the allegedly violated rights set forth in the complaint, yet they had alleged that the courts of the country had acted arbitrarily or violated the right to due process.

[8] The Commission continued its examination of Case 1752 at its thirty-fourth session (October 1974), together with the information provided by the Government of the United States, and decided: to transmit to the complainants the information provided by the United States Government and to postpone examination of the merits of the case unless, within a reasonable period of time, the complainants submitted their comments on this information.

[9] Pursuant to this decision, the Commission addressed the claimant on November 14, 1974. The decision taken on the case was brought to the attention of the Government of the United States on that same day.

[10] During its thirty-fifth session (May 1975) the Commission considered for the last time the status of this case and in view of the fact that the claimants had not presented observations on the information provided by the Government of the United States, it decided to file the case without further processing.

[11] The Government of the United States and the claimants were informed of this decision through notes of July 10, 1975.