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Institution: Inter-American Commission on Human Rights
File Number(s): Communication No. 1793
Session: Thirty-Sixth Session (6 - 24 October 1975)
Title/Style of Cause: Montevideo Victims v. Uruguay
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. Carrió (Argentina)
Dated: 6 - 24 October 1975
Citation: Montevideo Victims v. Uru., Comm. 1793, Inter-Am. C.H.R.,
OEA/Ser.L/V/II.37, doc. 20, corr. 1 (1975)
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[1] 1793, presented through a communication dated April 11, 1973, denounces torture and harassment of various individuals arrested by Uruguayan military authorities. The claim includes a list of those individuals arrested and imprisoned in the Military Hospital in Montevideo, who had allegedly been the victims of said tortures and mistreatments.

[2] In a note dated December 12, 1973, the Commission requested the Government of Uruguay to provide the appropriate information (Articles 42 and 44 of the Regulations).

[3] Examination of this case began at the thirty-second session of (April 1974) during the course of which the rapporteur, Dr. Genaro R. Carrió, submitted a report (doc. 28-32 res.) base upon which the Commission, decided to report its request for information to the Government of Uruguay, attaching a list of the individuals arrested and held in the military hospital, listing the wounds suffered, the date of imprisonment and so forth. The Government of Uruguay answered this new request for information on June 3, 1974, through a note dated September 9, 1974, providing general information stating that a review of the book of individuals arrested and imprisoned in the military hospital does not make it possible "to attest that the cause of these hospital admissions was wounds caused by mistreatment and torture," the actual causes being the confrontation the subversive and seditious elements had with the armed forces of the Republic during the State of internal war.

[4] During the thirty-fourth session (October 1974) the CIDH decided to again address the Government of Uruguay requesting more specific data on the case since, in light of the information and background matter on the question, the information provided by that Government was not satisfactory. Pursuant to that decision the Commission addressed the Government of Uruguay on December 17, 1974. In a letter dated December 19, 1974, the claimant was informed of the measures taken in connection with the case.

[5] Through a note dated May 23, 1975 (N1 174/75-16/B.18-MMS), the Government of Uruguay

requested a 90-day extension in order to provide the additional information requested by the Commission. That request was considered by the Commission during its thirty-fifth session (May 1975) and, in response thereto it was decided to grant the extension for the requested period of time, thereby postponing examination of the merit of the case until the next session.

[6] Pursuant to that decision, a note was sent to the Government of Uruguay on June 12, 1975.

[7] In a note of September 10, 1975 (N1 316/75) the Government of Uruguay provides the following supplementary information on this matter:

"In accordance with the instructions received from my Government, I have the honor to address your Excellency in connection with the note sent by that Commission on December 17, 1974 (Ref. 1792) through which the Commission transmits its request for more information on the actual causes of the admission to the Army Hospital during 1972, in order to reiterate the terms of my previous communication on this point, contained in note 336/74-16-B.13 of September 9, 1974, especially the information provided in paragraph 4 of that communication, which I quote:

The actual causes for these hospital admissions are the activities and confrontations the subversive and seditious elements had with the armed forces of the Republic during the state of internal war, during the course of which the sedition not only clearly demonstrated its complete disregard for the most elementary notions of the rights of the human person but also its lack of the most elementary vestiges of humanitarian feelings.

[8] The Commission acknowledged receipt through a note dated September 16, 1975. The pertinent parts of the information provided by the Government were transmitted to the claimant on September 17, 1975.

[9] During the thirty-sixth session (October 1975) the Commission continued its examination of the case together with the information provided by the Government of Uruguay and bearing in mind the recommendation by the rapporteur Dr. Genaro R. Carrió, presented a report OEA/Ser.L/V/II.36 doc. 30/res. of October 16, 1975) it decided to recommend to the Government of Uruguay: a) that it adopt the measures necessary to see to it that those authorities promptly conduct an investigation with a view to determining the possible commission of acts in violation of the rights to life and personal security (Article 1 of the American Declaration of the Rights and Duties of Man) and eventual punishment of those responsible; b) that it report to the CIDH before December 30, 1975 on the steps it has taken to carry out the recommendations made in point a) and the results obtained as of the moment c) that it keep the CIDH informed of the development and results of the investigation in question.

[10] Pursuant to this decision, the Commission addressed the Government of Uruguay through a note dated October 24, 1975. A copy of that note was sent to the Uruguayan Mission to the OAS on October 28, 1975. The claimant was informed of this decision through a letter dated January 12, 1976.