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Institution:	Inter-American Commission on Human Rights
File Number(s):	Communication No. 1845
Session:	Thirty-Sixth Session (6 - 24 October 1975)
Title/Style of Cause:	Sandor Arancibia v. Chile
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:	6 - 24 October 1975
Citation:	Arancibia v. Chile, Comm. 1845, Inter-Am. C.H.R., OEA/Ser.L/V/II.37, doc. 20, corr. 1 (1975)
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[1] 1845, alleges that Dr. Sandor Arancibia (former Governor of the province of Valdivia), a professor at the Universidad Austral de Chile, had been condemned to life imprisonment, in a trial in which he was not granted the guarantees of due process.

[2] Since the communication did not meet all the requirements provided for in Articles 42 and 44 of the Regulations, the Commission, on July 1, 1974, requested that the claimant provide additional information. The claimant, in a communication of July 1, 1974, provided the following information:

- a. The sentence handed down against Dr. Arancibia, on May 27, 1974, confirmed by the Military Judge in Valdivia, had been based upon an alleged "attempt at treason" and alleged involvement in a conspiracy to defend the Unidad Popular Government of Dr. Salvador Allende.
- b. The French lawyer, Mr. Mario Stasi, who served as an observer at the trial, was not able to establish the specific charges being brought against the accused. He heard only general charges.
- c. The sentence could not be appealed, as a request was presented to high authorities that the sentence be commuted. The condemned individual is serving his sentence in Valdivia.

[3] The Commission examined the communication in question during its thirty-third session (July-August 1974) and decided to request the wife of the interested party to kindly provide all information she had available on the case, and on the basis of that data, to decide whether it would request the Government of Chile, in accordance with Articles 42 and 44 of the Regulations, to provide the appropriate information.

[4] Pursuant to this decision, on July 23, 1974, the Secretariat sent a cable to the claimant.

[5] The claimant submitted a detailed account of the event to the Secretariat of the Commission in Santiago. Subsequently, a copy of the document involved in the proceedings was sent to the Secretariat. Furthermore, on July 28, 1974, a brief was sent to the CIDH providing additional information as to the

matter in which the trial had been conducted and a copy of the sentence handed down by the War Council of Valdivia (Case No. 1455-75).

[6] In a note of February 4, 1975, the Commission requested the Government of Chile to provide the appropriate information.

[7] On March 22, 1975, the claimant again addressed the CIDH, providing new data on the case.

[8] With this information at hand, the Commission continued its examination of the matter during its thirty-fifth session (May 1975), and decided the following: to address the Government of Chile to repeat the request for information filed on February 4, 1975, also mentioning the expiration date on the period of time provided for under Article 51 of the Regulations for transmittal of that information.

[9] This decision was not implemented in view the fact that in the interim the Government of Chile, through a note dated July 14, 1975 (No. 13433), received at the Secretariat on August 4, reported that Mr. Sandor Arancibia is being held in the Valdivia jail and being tried by the Carabineros Prosecutor's Office of that city." Receipt was acknowledged on August 8. On September 30, the claimant was informed of the data provided by the Chilean Government.

[10] The Commission examined this case again during its thirty-sixth session (October 1975), together with the information provided by the Government of Chile. It decided to address a note to that Government, requesting information on the nature and status of the proceedings against Dr. Arancibia held in the Carabineros Prosecutor's Office in Valdivia, making reference to the fact that according to the information that the CIDH had on the case, Dr. Arancibia had already been tried and was serving his sentence in Valdivia.

[11] Pursuant to this decision, a note was sent to the Government of Chile on October 24, 1975. The claimant was informed of this decision on November 28.