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Institution:	Inter-American Commission on Human Rights
File Number(s):	Communication No. 1744
Session:	Thirty-Sixth Session (6 - 24 October 1975)
Title/Style of Cause:	Luis Batalla 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. Carrio (Argentina)
Dated:	6 - 24 October 1975
Citation:	Batalla v. Uru., Comm. 1744, Inter-Am. C.H.R., OEA/Ser.L/V/II.37, doc. 20, corr. 1 (1975)
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[1] 1744, presented through a communication dated June 29, 1972, denounces the death of Mr. Luis Batalla, a union leader, 32 years old, and a militant member of the so-called "Frent Amplio", in a prison on an army base.

[2] In a note dated February 15, 1973, the Government provided information on this case that had been requested by the CIDH in a note dated August 22, 1972.

[3] The Commission examined case 1744 at its thirtieth session (April 1973) together with the information provided by the Government of Uruguay and decided to declare this case inadmissible, in accordance with Article 9 (bis) d of its Statute and Article 54 of its Regulations, without prejudice to requesting the Uruguayan Government to provide information on the result of the judicial action by the competent national authorities which at that time, were pending. This decision was communicated to the Government of Uruguay on June 11, 1973.

[4] However, at the thirty-first session (October 1973), in view of new information presented by the complainants, the Commission decided to reopen its examination of the matter and to repeat to the Government concerned its request for the pertinent information. To this end, a note was sent on December 12, 1973. This request was again repeated on June 3, 1974, in accordance with the decision taken at the thirty-second session (April 1974).

[5] In a note dated September 9, 1974 (N1 340/74) transmitted through its Mission to the OAS, the Government of Uruguay replied to the above mentioned request. It stated that investigations were being conducted to clarify the case, and to establish the responsibility to which the public servants acting in this case may at any time have become liable.

[6] During the thirty-fourth sessions (October 1974) the CIDH took cognizance of this situation and decided to transmit the pertinent parts thereof to the claimants, postponing a decision on the merits of the

case until it had such observations as the claimants may make on this information. This decision was carried out through a letter dated November 11, 1974.

[7] During the thirty-fifth sessions (May 1975) the Commission continued its examination of case 1744, and noted that the claimants had not formulated observations on the information provided by the Government. Therefore it decided to file the case without prejudice to reopening examination thereof should information or observations be received from the claimants within a reasonable period of time.

[8] At its thirty-sixth session (October 1975) the Commission continued its examination of case 1744 noting that the claimants had not formulated observations on the information provided by the Government of Uruguay. It therefore decided the following: to file the case and advise the claimant of this decision.

[9] Pursuant to this decision, a note was sent to the Government of Uruguay on February 10, 1976, and to the claimant on that same date.