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| Institution: | Inter-American Commission on Human Rights |
| File Number(s): | Communication No. 1890 |
| Session: | Thirty-Sixth Session (6 - 24 October 1975) |
| Title/Style of Cause: | Dayman Osvaldo Cabrera Sureda 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: | Cabrera Sureda v. Uru., Comm. 1890, Inter-Am. C.H.R., OEA/Ser.L/V/II.37, doc. 20, corr. 1 (1975) |
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[1] 1890, on November 1, 1974, denounces the arrest for political reasons, of Mr. Dayman Cabrera Sureda, on August 14, 1974. The prisoner is allegedly being held in San José and is in poor health.

[2] In a cable dated November 19, 1974, the Commission requested the Government of Uruguay to provide the appropriate information. A copy of that cable was transmitted to the Uruguayan Mission to the OAS on that same day. In a letter dated November 20, 1974, the claimant was informed of the measures taken in connection with the denunciation. In a cable dated December 3, 1974, the Commission repeated its request for information it had filed with the Government of Uruguay. A copy of that cable was sent to the Uruguayan Mission to the OAS on that same day.

[3] The Commission examined this case during its thirty-fifth sessions (May 1975) and since the Uruguayan Government had not replied to the above cited request for information and in view of the urgency of the case, at the same session it decided to address a new communication to that Government, requesting urgent transmittal of the corresponding data in order to conduct its examination of the case.

[4] Pursuant to this decision, a cable was sent to the Government of Uruguay on May 21, 1975. A copy of that cable was transmitted to the Uruguayan Mission to the OAS on May 23, 1975.

[5] In a note dated May 23, 1975 (N1 173/74-16.B.18), the Government of Uruguay replied to the request for information filed by the Commission in the following terms:

1. The seditious Dayman Osvaldo Cabrera Sureda has been charged by the competent court having been accused of the following crimes:

"Subversive Organizations' (Article 60 (V) of the Military Penal Code and Article 137 of the Common Penal Code), 'Use of False Documents' (Article 243 of the Common Penal Code).

"Therefore Dayman Osvaldo Cabrera Sureda, is a common criminal and not a political prisoner. "2. The individual in question has chronic asthma so that since his arrest he has been undergoing the appropriate

medical treatment.

"On a number of occasions he was admitted to the Army Military Hospital for intensive treatment, where he was also examined by a psychiatrist.

"He also has gastritis, which keeps him from using certain medications used in treating his asthmatic crises and he also requires specific medication.

"3. The facility where he has been held prisoner, practically since his arrest, has a complete medical team to provide medical care to the prisoners, this is a permanent arrangement.

"The health care is backed by the Army Health Service, its central organ being the Army Military Hospital, where he prisoners receive any special attention they need.

"4. The food and lodging conditions are the best available in any facility in the country, and are comparable to the best in the world.

"5. No prisoner is subjected to physical torture during his imprisonment".

[6] The Commission continued its examination of the case during that same session (May 1975), together with the information provided by the Government of Uruguay. It decided:

- a) to file the case without prejudice to reopening examination thereof should the claimant formulate observations on the information received from the Government (which would be transmitted to him in accordance with the Regulations) , should he deem it appropriate and,
- b) to inform the Government and the claimant of this decision.

[7] Pursuant to the foregoing a note was sent to the Government of Uruguay on August 7, 1975, and a copy of this was sent to the Uruguayan Mission to the OAS on August 19, 1975. In a letter dated August 19, 1975, the claimant was informed of the information provided by the Government of Uruguay, together with the decision reached on the case.

[8] During its thirty-sixth session (October 1975) , the Commission considered this communication together with the information provided by the Government of Uruguay, and decided to postpone study of this case until its next session.