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Institution:	Inter-American Commission on Human Rights
File Number(s):	Communication No. 1777
Session:	Thirty-Sixth Session (6 - 24 October 1975)
Title/Style of Cause:	Luis Carlos Cárdenas v. Colombia
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:	Cárdenas v. Colom., Comm. 1777, Inter-Am. C.H.R., OEA/Ser.L/V/II.37, doc. 20, corr. 1 (1975)

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[1] 1777, presented through a communication dated October 15, 1973, supplemented on October 25, 1973, denounces, in summary, the following events:

i. The situation of human rights in Colombia under the state of siege, the existence of military tribunals trying civilians and the confinement of politica1 prisoners and torture inflicted upon some of them.
ii. The status of human rights of the indigenous peoples who are mistreated and robbed of their possessions.
iii. The right to education is not guaranteed since the educational system operates as a business and is exploited in the hands of private interest at its elementary, secondary and higher levels; higher education is weak and many institutions of higher learning have been closed and their professors and students dismissed.
iv. In October 1973 Mr. Luis Carlos Cárdenas was murdered in Medellín, by agents of the Fourth Army Brigade.
v. The Concordat of July 12, 1972, seriously "limits the freedoms of conscience and religion upheld in the American Declaration of the Rights and Duties of Man.

[2] Pursuant to the decision reached at the thirty-first session (October 1973) the Commission requested the Government of Colombia to provide the appropriate information, in accordance with Articles 42 and 44 of the Regulations, through a note dated December 19, 1973, which was repeated on June 3, 1974.

[3] During the thirty-second and thirty-fourth session, (April and October, 1974, respectively), the Commission, in response to request on the part of Colombian Government that it be granted extensions on the time period allotted for provision of information requested, had to postpone examination of the case. [FN1]

[FN1] See doc. 30-34 rev. 1.

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[4] During the thirty- fifth session (May 1975) the Commission noted that the Government of Colombia had not provided the information promised on this case. However, a joint study was conducted of the information provided by the Colombian Government with regards to cases 1780, 1787, also being processed, and the Commission concluded that the Government of Colombia, may have inadvertently made an error with regard to the subject matter of the information corresponding to each case. Therefore it decided to appoint Dr.Gabino Fraga as rapporteur to study case 1777 and formulate such recommendation as he deems appropriate, taking into account the information provided by the Colombian Government on cases 1781 and 1787.

The rapporteur presented a report (doc. 11-35) in which was taken under consideration at that same session. In keeping with that report, the Commission decided the following:

a. To again address itself to the Government of Colombia requesting the information requested on June 3, 1974, asking that it make specific reference to the status of human rights: during the state of siege; to the status of human rights of the indigenous population and to the influence of the agreement with the Holy See on the exercise of freedom of conscience and freedom of religion in Colombia, establishing September 30, 1975, as the deadline for transmittal of that information.

[5] Pursuant to that decision a note was written to the Government of Colombia on August 8, 1975. The claimant was informed of this decision on the same date.

[6] "At the thirty-sixth session (October 1975), the Commission considered the status of this case noting that the Government of Colombia had not yet replied to the note of August 8, 1975, and instructed Dr. Justino Jiménez de Aréchaga and Dr. Genaro R. Carrió , rapporteurs for this and other cases related to Colombia, to study the appropriate procedure to be followed with regard to case 1777 and the other cases on Colombia.

In keeping with the recommendation made by the rapporteur of this case (Dr. Genaro Carrió), the Commission decided to address the claimants, requesting more information on the concrete events denounced, specially as regards exhaustion of internal remedies; so as to enable the Commission to examine the merit of the case.

[7] Pursuant to this decision, a note was sent to the claimant on October 3, 1975.