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Institution:	Inter-American Commission on Human Rights
File Number(s):	Communication No. 1898
Session:	Thirty-Sixth Session (6 - 24 October 1975)
Title/Style of Cause:	Alcides Lanza, Eduardo Viera, Ariel Ganz, Exequiel Alonso and Jaime G. Pérez 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:	Lanza v. Uru., Comm. 1898, Inter-Am. C.H.R., OEA/Ser.L/V/II.37, doc. 20, corr. 1 (1975)
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[1] 1898, of November 26, 1974, supplemented on December 21, 1974, denounces violations of human rights in Uruguay, such as arbitrary arrests, tortures, lack of legal guarantees on prompt security measures" established by the Government of that country, mentioning concrete cases.

[2] In a letter dated February 4, 1975, the Commission requested the Government of Uruguay to provide the appropriate information. A copy of that note was transmitted to the Uruguayan Mission to the OAS on February 4, 1975.

[3] In a note dated February 5, 1975, the Secretariat acknowledged receipt of the claimant's letter of December 21, 1974, informing him of the handling given of the case.

[4] The Commission considered this communication during its thirty-fifth session (May 1975) and a note from the Government of Uruguay (N1 174/75-16.B.18), requesting a 90 day extension for transmittal of the appropriate information. Therefore, the Commission decided to postpone examination of the case until its next sessions.

[5] The Government of Uruguay was informed of this decision on June 12, 1975. The claimant was informed on September 12, 1975.

[6] In a letter dated September 12, 1975, the Secretariat reported to the claimant for this and other cases, the decision reached on case 1898.

[7] In a note dated September 18, 1975 (N1 330/75), the Government of Uruguay replied to the request for information in this case:

"I. Clarification of the general considerations set forth in the first part of the communication being

answered.

1) Prompt security measures are in force in Uruguay, adopted by the Executive Power in accordance with Article 168, paragraph 17, of the Constitution of the Republic, to combat seditious activities which as is common knowledge, have plagued this country for some time.

"According to the text of the Constitution in question, prompt security measures authorize the arrest or transfer of individuals from one point to another in the territory. "The individuals involved may not be imprisoned in local facilities for imprisonment of criminals.

"2) Uruguay does not have any form of forced labor, nor does it commit the alleged violations of international agreements such as those referred to in the communication in question.

"3) Neither torture nor inhumane practices are being implemented in any facility for detention, arrest or imprisonment.

"4) There is an organized and systematic international campaign spreading information against my country which seeks to set up a false image of the national situation.

"The generic statements being answered should be analyzed within the framework of the above facts.

"II Status of individuals mentioned as examples

"1 Alcides Lanza - was arrested by the police on November 17, 1974 while at a clandestine meeting preparing a general stoppage to disrupt public order.

"He was housed in the Cilindro Municipal under the control of the Executive Power, by virtue of the system of prompt security measures.

"He was released on December 18, 1974.

"2 Eduardo Viera - was arrested by a military patrol for suspicious behavior on a public street late on the night of October 25, 1974; he had on his person subversive material.

"He was housed in the Cilindro Municipal under the orders of the Executive Power, under the system of prompt security measures. He was then brought before the competent judicial authority, the Military Trial Judge of the Fifth Court, who on April 23, 1975, brought proceedings against him for an "attack on the moral strength of the Army and the Navy" (Military Penal Code, Article 58, paragraph 1 and 2).

He has been free since September 3, 1975, by virtue of an order from the intervening judicial authority.

"3 Ariel Ganz - was arrested by a police unit on October 17, 1974, for disturbing the public peace through the so-called 'volanteada' (clandestine distribution of flyers to incite disruption of public order).

"He was housed in the Cilindro Municipal, under the control of the Executive Power through the system of prompt security measures.

"On December 16, 1974, he was released.

"4 Exequiel Alonso - was arrested by police agents on October 25, 1974, with subversive material on his person.

"He was housed in the Cilindro Municipal, under the control of the Executive Power, by virtue, of the system of prompt security measures.

"He was released on December 30, 1974.

"On August 4, 1975, he was arrested by the police while disrupting the peace and as a second offender; he was imprisoned in the Cilindro Municipal under the control of the Executive Power, by virtue of the system of prompt security measures.

"5 Jaime G. Pérez - was arrested by police agents on October 24, 1974, while attempting to conceal himself on the flat roof of a building in the 'Pocitos' neighborhood in Montevideo and was brought to trial before the Military Trial Judge of the Third Court.

"On February 19, 1975, the judge in question ordered his trial accused of the crime of 'An attack on the moral strength of the Army and the Navy' (Article 58 of the Military Penal Code)."

[8] The Secretariat acknowledged receipt to the Government of Uruguay on September 22, 1975, and through a letter dated September 24, 1975, the pertinent parts of the information provided by the Government of Uruguay were transmitted to the claimant.

[9] During its thirty-sixth sessions (October 1975), the Commission considered this communication

together with the information provided by the Government of Uruguay. It decided to file the case without prejudice to such observations as the claimant may file.