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Institution:	Inter-American Commission on Human Rights
File Number(s):	Communication No. 1844
Session:	Thirty-Sixth Session (6 - 24 October 1975)
Title/Style of Cause:	Fernando Augusto de Santa Cruz Oliveira and Eduardo Gollier Filho v. Brazil
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:	Santa Cruz Oliveira v. Braz., Comm. 1844, Inter-Am. C.H.R., OEA/Ser.L/V/II.37, doc. 20, corr. 1 (1975)
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[1] Communication 1844, of June 15, 1974, denounces the arrest of Mr. Fernando Augusto de Santa Cruz Oliveira and Mr. Eduardo Gollier Filho in the city of Rio de Janeiro; on February 23, 1974, alleging that to date it has not been possible to determine their whereabouts nor their legal status. According to the denunciation, inquiries had been made with the military officials responsible (navy, army and air force), without result, and that all legal resources and remedies provided for under the legislation applicable to cases of arrest for "political crimes" had been exhausted. The denunciation included documents and press clippings on the case.

[2] The Commission, in a note of August 14, 1974, requested the Brazilian government to provide the corresponding information, in accordance with its Regulations. The Secretariat, in a letter of August 21, 1974, informed the claimant of the measures taken in connection with the case.

[3] That request for information was repeated through a note dated December 17, 1974, by virtue of a decision taken at the thirty-fourth session (October 1974).

[4] In a note of April 30, 1975 (No. 81), cited, the Government of Brazil reported that M. Fernando Augusto de Santa Cruz Oliveira and Mr. Eduardo Collier Filho were radicals members of subversive organizations (the Marxist-Leninist Peoples' Movement, who were being sought by the authorities.

[5] The Commission examined this case, together with the information, provided by the Brazilian Government, during the course of its thirty-fifth session (May 1975). It decided the following:

- a. To address the Government of Brazil requesting supplementary information, especially on the arrest of Mr. Santa Cruz Oliveira and Mr. Collier Filho, and on the results of the legal remedies of habeas corpus.
- b. To address the claimants, requesting more information on the arrest of these individuals, and on

the use of internal remedies.

[6] Pursuant to this decision, the Commission sent notes to both the Government of Brazil and the claimant on August 8, 1975.

[7] Subsequent to the thirty-fifth session, the Commission (sic) received additional information from the claim which stated that efforts were being made in the Brazilian Congress (Chamber of Deputies) to have the Minister of Justice of Brazil provide information on the status of a number of political prisoners who have allegedly disappeared, these include Mr. Santa Cruz Oliveira and Mr. Eduardo Collier Filho. Attached to this note of September 10, 1975, were copies of the annals of the Chamber of Deputies for the session during which the case was discussed.

[8] The Commission continued its examination of the case during its thirty-sixth session (October 1975) during which it took note of the information provided by the claimant. In view of the fact that the 180 day period for provision of the information requested in the note sent to the Government of Brazil on August 8 had still not elapsed, it decided to postpone its examination of the case until its next session, once the Government of Brazil has had time to provide the additional information.