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Institution:	Inter-American Commission on Human Rights
File Number(s):	Communication No. 1846
Session:	Thirty-Sixth Session (6 - 24 October 1975)
Title/Style of Cause:	Carlos Silveira, Francisco de Oliveira and Federico Mazuchelli 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:	Silveira v. Braz., Comm. 1846, Inter-Am. C.H.R., OEA/Ser.L/V/II.37, doc. 20, corr. 1 (1975)
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[1] Communication 1846, of June 27, 1974 denounces the following events:

- a. On April 4, 1974 Mr. Carlos Silveira, who worked in the "Brazilian Center for Analysis and Planning" was arbitrarily arrested in Sao Paulo.
- b. Mr. Francisco de Oliveira and Mr. Federico Mazuchelli, also employed at the Center, were also arrested under the same circumstances (although the date on which the event occurred is not provided)
- c. The prisoners were taken to the Police Bureau on Political and Social Order of the Police, located at Largo General Osorio, 1164, Sao Paulo, and were allegedly tortured.

[2] In a note of October 11, 1974, the Commission requested the Government of Brazil to provide the corresponding information. (Articles 42 and 44 of the Regulations).

[3] At the thirty-fourth session (October 1974) the Commission decided to postpone examination of the case, in view of the fact that the 180 day period provided for under Article 51 of the Regulations had not yet elapsed. The claimant was so informed through a note dated November 1, 1974.

[4] In a note of June 6, 1975 (No. 115), from the Brazilian Mission to the OAS, the Government of Brazil requested that it be granted an extension on this case, until October 11, 1975.

[5] Therefore the Commission, at its thirty-fifth session (May 1975), decided to again postpone examination of the case until its thirty-sixth session, once the Government of Brazil has had time to provide the corresponding information. This decision was reported to the claimant through a note of August 7, 1975.

[6] At its thirty-sixth session the Commission continued its examination of this case together with the information conveyed by the Government of Brazil through a note of October 17, 1975, from the Brazilian Mission to the OAS (No. 275) in which it states that Mr. Carlos Eduardo de Silveira, Mr.

Francisco de Oliveira and Mr. Federico Mazuchelli had been held prisoners in the Police Bureau on Political and Social Order of the State of Sao Paulo, in 1974, awaiting trial.

It appointed Dr. Justino Jiménez de Aréchaga as rapporteur for this case. He presented a report (OEA/Ser. L/V/II. 36, doc.21), on the basis of which the Commission decided the following:

- a. To send to the claimant a note transmitting to it the pertinent parts of the information provided by the Government of Brazil, also requesting the following additional information:
 - i. Whether the arrest of the aforementioned (sic) individuals was made through a judicial warrant;
 - ii. The reason for the arrest;
 - iii. The length (sic) of detention;
 - iv. Whether Mr. Silveira and Mr. Oliveira are still being held
- b. Should the claimant provide the appropriate information on the points cited above especially as to whether Mr. Silveira and Mr. Oliveira are still being held, to then send another note to the Government of Brazil as to the details of those individuals, whether they are in fact being held and in what place or places; who is (are) their lawyer(s) what charges have brought against them and which judge or court is handling the case or cases; the state of health of the prisoners (sic), the medical attention they receive and who provides it.

[7] Pursuant to this decision, the CIDH sent a note to the claimant on November 24, 1975.

[8] The Government of Brazil was informed of this decision through a note of November 28, 1975.